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## N

**THE COMPACT RING OF**

## OFFICERS OF THE SENATE.

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*President*—Hon. C. W. Fulton.....Astoria, Clatsop County  
*Chief Clerk*—O. P. Miller.....Molalla, Clackamas County  
*Assistant Chief Clerk*—D. W. Coolidge.....Eugene, Lane County  
*Reading Clerk*—J. B. Eddy.....Pendleton, Umatilla County  
*Calendar Clerk*—A. W. Severence.....Tillamook County  
*Sergeant-at-Arms*—J. M. Stott.....Multnomah County  
*Doorkeeper*—J. H. McCormick.....Marion County  
*Mail Clerk*—W. H. Mattoon.....Clackamas County  
*Pages*—Charles Hoberg and Edwin P. Russell.

## MEMBERS OF THE SENATE.

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### ELECTED IN 1890.

*Baker and Malheur*—O. M. Dodson.  
*Benton*—C. B. Crosno.  
*Clackamas and Marion*—Harvey E. Cross.  
*Clatsop*—C. W. Fulton.  
*Grant, Harney, and Morrow*—H. Blackman.  
*Jackson*—Theo. Cameron.  
*Lane*—R. M. Veatch.  
*Linn*—Jeff. Myers, J. K. Weatherford.  
*Marion*—Edward Hirsch, J. B. Looney.  
*Multnomah*—P. L. Willis.  
*Umatilla*—W. F. Matlock.  
*Yamhill*—P. P. Gates.

### ELECTED IN 1892.

*Clackamas*—G. E. Hayes.  
*Columbia, Washington, and Tillamook*—J. W. Maxwell.  
*Coos, Curry, and Josephine*—W. S. Vanderburg.  
*Crook, Klamath, and Lake*—C. A. Cogswell.  
*Douglas*—Henry Beckley.  
*Gilliam, Sherman, and Wasco*—W. W. Steiwer.  
*Lane*—B. F. Alley.  
*Multnomah*—F. A. Bancroft, O. N. Denny, H. E. McGinn, C. H. Woodard.  
*Polk*—N. L. Butler.  
*Sherman and Wasco*—J. A. Smith.  
*Umatilla and Union*—J. H. Raley.  
*Union and Wallowa*—D. A. McAlister.  
*Washington*—S. B. Huston.

## SENATE STANDING COMMITTEES.

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*Judiciary*—Denny, Cross, Willis, Weatherford, Butler.

*Ways and Means*—Hirsch, Gates, Woodard, Blackman, Raley.

*Elections*—Woodard, Hayes, Huston.

*Claims*—McGinn, Steiwer, Myers.

*Corporations*—Cameron, Crosno, Vanderburg.

*Counties*—Dodson, Looney, Veatch.

*Military Affairs*—Bancroft, Gates, Butler.

*Commerce*—Looney, Maxwell, Smith.

*Education*—Crosno, Willis, Matlock.

*Engrossed Bills*—McGinn, Dodson, Myers.

*Enrolled Bills*—Gates, Hirsch, Weatherford.

*Roads and Highways*—Cross, Looney, Crosno, McAlister, Beckley.

*Public Lands*—Steiwer, Maxwell, Hayes, Cogswell, Smith.

*Federal Relations*—Cogswell, Alley, Bancroft.

*Mining*—Cameron, Woodard, McAlister.

*Printing*—Maxwell, McGinn, Raley.

*Railroads*—Hayes, Cameron, Denny, Matlock, Cogswell.

*Agriculture*—Vanderburg, Cameron, Alley.

*Assessments*—Willis, Steiwer, Dodson, Raley, Huston.

*Fishing Industries*—Alley, Hirsch, Cross, Blackman, Veatch.

*Public Buildings*—Looney, Bancroft, Beckley.

*Labor*—Denny, Steiwer, Vanderburg.

*Internal Improvements*—Steiwer, Willis, Smith.



# SENATE JOURNAL.

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SENATE CHAMBER,  
SALEM, Oregon,  
January 9, 1893. }

This being the day set apart by law for the convening of the senate of the state of Oregon, the same was called to order at 2:30 o'clock P. M. by O. P. Miller, chief clerk of the last regular session.

The first order of business being the election of a president *pro tem.*, Mr. Gates placed in nomination Hon. O. N. Denny of Multnomah county.

Mr. Weatherford placed in nomination Hon. Henry Blackman, joint senator for Grant, Harney, and Morrow Counties.

There being no further nominations, the roll was called.

Those voting for Mr. Denny were: Senators Alley, Blackman, Cameron, Crosno, Cross, Dodson, Fulton, Gates, Hayes, Hirsch, Looney, Maxwell, McGinn, Steiwer, Vanderburg, Willis, Woodard—17.

Those voting for Mr. Blackman were: Senators Beckley, Butler, Cogswell, Denny, Huston, Matlock, McAlister, Myers, Raley, Smith, Veatch, Weatherford—12.

Mr. Denny having received a majority of all the votes cast, was duly elected as president *pro tem.*

Mr. Denny took the chair, and in a few well-chosen words thanked the senators for the honor conferred upon him.

The next order of business being the election of chief clerk *pro tem.*, Mr. Cross placed in nomination Mr. O. P. Miller of Clackamas county.

Mr. Cogswell placed in nomination Mr. O. H. Hershberger of Klamath county.

There being no further nominations, the roll was called.

Those voting for Mr. Miller were: Senators Alley, Bancroft, Cameron, Crosno, Cross, Denny, Dodson, Fulton, Gates, Hayes, Hirsch, Looney, Maxwell, McGinn, Steiwer, Willis, Woodard—17.

Those voting for Mr. Hershberger were: Senators Beckley,

Blackman, Butler, Cogswell, Huston, Matlock, McAlister, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford—13.

Mr. Miller having received a majority of all the votes cast, was declared duly elected chief clerk *pro tem.*

The next order of business being the election of assistant chief clerk *pro tem.*, Mr. Alley placed in nomination Mr. D. W. Coolidge of Lane county.

Mr. Weatherford placed in nomination Mr. H. K. Sibley of Umatilla county.

There being no further nominations, the roll was called.

Those voting for Mr. Coolidge were: Senators Alley, Bancroft, Cameron, Crosno, Cross, Denny, Dodson, Fulton, Gates, Hayes, Hirsch, Looney, Maxwell, McGinn, Steiwer, Vanderburg, Willis, Woodard—18.

Those voting for Mr. Sibley were: Senators Beckley, Blackman, Butler, Cogswell, Huston, Matlock, McAlister, Myers, Raley, Smith, Veatch, Weatherford—12.

Mr. Coolidge having received a majority of all the votes cast, was declared duly elected assistant chief clerk *pro tem.*

The next order of business being the election of a reading clerk *pro tem.*, Mr. Gates placed in nomination Mr. J. B. Eddy of Umatilla county.

Mr. Weatherford placed in nomination Mr. Joseph Gleason of Washington county.

There being no further nominations, the roll was called.

Those voting for Mr. Eddy were: Senators Alley, Bancroft, Cameron, Crosno, Cross, Denny, Dodson, Fulton, Gates, Hayes, Hirsch, Looney, Maxwell, McGinn, Steiwer, Willis, Woodard—17.

Those voting for Mr. Gleason were: Senators Beckley, Blackman, Butler, Cogswell, Huston, Matlock, McAlister, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford—13.

Mr. Eddy having received a majority of all the votes cast, was declared duly elected reading clerk *pro tem.*

The next order of business being the election of calendar clerk *pro tem.*, Mr. Gates placed in nomination Mr. Severence of Tillamook county.

Mr. Cogswell moved to dispense with the further election of officers *pro tem.*, and that the president *pro tem.* do now appoint a committee on credentials.

Messrs. Veatch and Weatherford called for the yeas and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Gates, Hirsch, Huston, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford—19.

Nays—Messrs. Alley, Bancroft, Denny, Dodson, Fulton, Hayes, Looney, Maxwell, McGinn, Willis, Woodard—11.

Absent—None.

The motion prevailed.

The president *pro tem.* appointed as such committee, Senators Veatch of Lane, Weatherford of Linn, McGinn of Multnomah, Hayes of Clackamas, and Looney of Marion.

On motion of Mr. Weatherford, the senate took a recess of thirty minutes to allow the committee on credentials time to make their report.

The senate was called to order by the president *pro tem.*

The committee on credentials submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 9, 1893. }

*Mr. President:*

We, your committee on credentials, find by the records of the regular session of 1891 that the following persons are entitled to seats in this body, to wit:

Morrow, Grant, and Harney counties—Henry Blackman.

Jackson county—Theodore Cameron.

Benton county—Charles B. Crosno.

Clackamas and Marion counties—Harvey E. Cross.

Baker and Malheur counties—O. M. Dodson.

Clatsop county—C. W. Fulton.

Yamhill county—Peter P. Gates.

Marion county—Edward Hirsch and J. B. Looney.

Umatilla county—W. F. Matlock.

Linn county—J. K. Weatherford and Jeff. Myers.

Lane county—R. M. Veatch.

Multnomah county—P. L. Willis.

And we further find from certificates presented that the following persons were elected in 1892 and are entitled to seats in this body, to wit:

Coos, Curry, and Josephine counties—W. S. Vanderburg.

Crook, Lake, and Klamath counties—Charles A. Cogswell.

Tillamook, Columbia, and Washington counties—J. W. Maxwell.

Clackamas county—Gordon E. Hayes.

Douglas county—Henry Beckley.

Lane county—B. F. Alley.

Multnomah county—F. A. Bancroft, O. N. Denny, C. H. Woodard, and Henry E. McGinn.

Polk county—N. L. Butler.

Sherman and Wasco counties—John A. Smith.

Washington county—S. B. Huston.

Umatilla and Union counties—J. H. Raley.

Union and Wallowa counties—D. A. McAlister.

Wasco, Gilliam, and Sherman counties—W. W. Steiwer.

Respectfully submitted,

R. M. VEATCH.

J. B. LOONEY.

J. K. WEATHERFORD.

GORDON E. HAYES.

HENRY E. MCGINN.

On motion of Mr. Veatch, the report was adopted.

Owing to the illness of the secretary of state, and his inability to be present to administer the oath of office to the members-elect, Mr. Willis submitted the following resolution:—

#### RESOLUTION.

*Resolved*, That the chief justice of the supreme court be and he hereby is invited to come within the bar of the senate, or to designate one of his associates so to do, and administer the oath of office to the newly elected members of this senate.

On motion of Mr. Willis, the resolution was adopted.

Mr. Veatch moved that a committee of three be appointed to wait on the chief justice to ascertain his pleasure.

Adopted.

The president appointed as such committee, Senators Veatch, Cameron, and Dodson.

The committee retired and soon thereafter appeared accompanied by Hon. R. S. Bean, associate justice of the supreme court of the state of Oregon, who administered the oath of office to the members-elect, and a copy of such oath was duly subscribed to by each senator respectively.

Mr. Cross introduced senate resolution No. 1, as follows:—

#### SENATE RESOLUTION NO. 1.

*Resolved*, That the senate now proceed to effect a permanent organization by electing,—

First—A president of the senate.

Second—A chief clerk.

Third—An assistant clerk.

Fourth—A calendar clerk.

Fifth—A reading clerk.

Sixth—A sergeant-at-arms.

Seventh—A doorkeeper.

Eighth—A mailing clerk.

On motion of Mr. Cross, the resolution was adopted.

The first order of business being the election of president of the senate, Mr. Hirsch placed in nomination Hon. C. W. Fulton of Clatsop county.

Mr. Weatherford placed in nomination Hon. C. A. Cogswell, joint senator for Crook, Lake, and Klamath counties.

There being no further nominations, the roll was called.

Those voting for Mr. Fulton were: Senators Alley, Bancroft, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McGinn, Steiwer, Willis, and Woodard—17.

Those voting for Mr. Cogswell were: Senators Beckley, Blackman, Butler, Fulton, Huston, Matlock, McAlister, Myers, Raley, Smith, Veatch, and Weatherford—12.

Absent—Mr. Vanderburg.

Mr. Fulton having received a majority of all the votes cast, was declared duly elected president of the seventeenth biennial session of the senate of the state of Oregon.

Mr. Raley moved that a committee of two be appointed to conduct the president-elect to the chair.

The motion prevailed.

The president *pro tem.* appointed as such committee, Senators Raley and Hirsch.

On being conducted to the chair, the president-elect expressed his thanks for and appreciation of the honor conferred.

Hon. R. S. Bean, associate justice of the supreme court, appeared within the bar of the senate and administered the oath of office to the president-elect, who duly subscribed his name thereto.

The election of chief clerk being the next order of business, Mr. Gates placed in nomination Mr. O. P. Miller of Clackamas county.

Mr. Weatherford placed in nomination Mr. John W. Baker of Yamhill county.

There being no further nominations, the roll was called.

Those voting for Mr. Miller were: Senators Alley, Bancroft, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McGinn, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—18.

Those voting for Mr. Baker were: Senators Beckley, Blackman,

Butler, Cogswell, Huston, Matlock, McAlister, Myers, Raley, Smith, Veatch, and Weatherford—12.

Mr. Miller having received a majority of all the votes cast, was declared duly elected chief clerk.

The next order of business being the election of an assistant chief clerk, Mr. Gates placed in nomination Mr. D. W. Coolidge of Lane county.

Mr. Weatherford placed in nomination Mr. H. R. Sibley of Umatilla county.

There being no further nominations, the roll was called.

Those voting for Mr. Coolidge were: Senators Alley, Bancroft, Cameron, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McGinn, Steiwer, Willis, Woodard and Mr. President—17.

Those voting for Mr. Sibley were: Senators Beckley, Blackman, Butler, Cogswell, Huston, Matlock, McAlister, Myers, Raley, Smith, Vanderburg, Veatch, and Weatherford—13.

Mr. Coolidge having received a majority of all the votes cast, was declared duly elected assistant chief clerk.

The next in order being the election of a reading clerk, Mr. Gates placed in nomination Mr. J. B. Eddy of Umatilla county.

Mr. Weatherford placed in nomination Mr. Joseph Gleason of Washington county.

There being no further nominations, the roll was called.

Those voting for Mr. Eddy were: Senators Alley, Bancroft, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McGinn, Steiwer, Vanderburg, Willis, Woodard, Mr. President—18.

Those voting for Mr. Gleason were: Senators Beckley, Blackman, Butler, Cogswell, Huston, Matlock, McAlister, Myers, Raley, Smith, Veatch, and Weatherford—12.

Mr. Eddy having received a majority of all the votes cast, was declared duly elected reading clerk.

The next in order being the election of calendar clerk, Mr. Gates placed in nomination Mr. A. W. Severence of Tillamook county.

Mr. Weatherford placed in nomination Mr. D. Berry of Union county.

There being no further nominations, the roll was called.

Those voting for Mr. Severence were: Senators Alley, Bancroft, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McGinn, Steiwer, Willis, Woodard, and Mr. President—17.

Those voting for Mr. Berry were: Senators Beckley, Blackman, Butler, Cogswell, Huston, Matlock, McAlister, Myers, Raley, Smith, Vanderburg, and Weatherford—12.

Mr. Veatch voted blank—1.



Mr. Severence having received a majority of all the votes cast, was declared duly elected calendar clerk.

The next order being the election of sergeant-at-arms, Mr. Gates placed in nomination Mr. J. M. Stott of Multnomah county.

Mr. Weatherford placed in nomination Mr. Jackson Bilyeu of Linn county.

There being no further nominations, the roll was called.

Those voting for Mr. Stott were: Senators Alley, Bancroft, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McGinn, Steiwer, Willis, Woodard, and Mr. President—17.

Those voting for Mr. Bilyeu were: Senators Beckley, Blackman, Butler, Cogswell, Huston, Matlock, McAlister, Myers, Raley, Smith, Vanderburg, Veatch and Weatherford—13.

Mr. Stott having received a majority of all the votes cast, was declared duly elected sergeant-at-arms.

The next order of business being the election of a doorkeeper, Mr. Gates placed in nomination Mr. J. H. McCormick of Marion county.

Mr. Weatherford placed in nomination Mr. Joseph Williams of Morrow county.

There being no further nominations, the roll was called.

Those voting for Mr. McCormick were: Senators Alley, Bancroft, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McGinn, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—18.

Those voting for Mr. Williams were: Senators Beckley, Blackman, Butler, Cogswell, Huston, Matlock, McAlister, Myers, Raley, Smith, Veatch, and Weatherford—12.

Mr. McCormick having received a majority of all the votes cast, was declared duly elected doorkeeper of the senate.

The next order of business being the election of a mail clerk, Mr. Gates placed in nomination Mr. W. H. Mattoon of Clackamas county.

Mr. Weatherford placed in nomination Mr. Charles Wilson of Clackamas county.

There being no further nominations, the roll was called.

Those voting for Mr. Mattoon were: Senators Alley, Bancroft, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McGinn, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—18.

Those voting for Mr. Wilson were: Senators Beckley, Blackman, Butler, Cogswell, Huston, Matlock, McAlister, Raley, Smith, Veatch, and Weatherford—12.

Mr. Mattoon having received a majority of all the votes cast, was declared duly elected mail clerk of the senate.

## MESSAGE FROM THE HOUSE.

HALL OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has effected a permanent organization by electing the following officers:

W. P. Keady, speaker.

D. C. Sherman, chief clerk.

William Turner, assistant clerk.

G. O. Holman, reading clerk.

J. E. Blundell, sergeant-at-arms.

J. S. Vincent, doorkeeper.

Carl Gray, mailing clerk.

The house is now ready for the transaction of business.

D. C. SHERMAN,  
Chief clerk.

Mr. Cross submitted senate concurrent resolution No. 1.

## SENATE CONCURRENT RESOLUTION NO. 1.

*Resolved by the Senate, the House concurring,* That a joint committee of two on the part of the senate and three on the part of the house be appointed to inform his excellency, the governor, that both houses are now organized and ready to receive any communication he may have to make.

On motion of Mr. Cross, the resolution was adopted.

Associate Justice Hon. R. S. Bean appeared within the bar of the senate and administered the oath of office to the officers elect, and they subscribed their names thereto.

On motion of Mr. Cogswell, the president was requested to appoint two pages for the senate.

Mr. Willis introduced senate resolution No. 2.

## SENATE RESOLUTION NO. 2.

*Resolved,* That the clergy of the state be invited by the president to open the morning session of the senate with prayer.

On motion of Mr. Willis, the resolution was adopted.

On motion of Mr. Blackman, the courtesies of the senate were extended to Hon. W. R. Ellis, congressman-elect from the second district, and he was invited to a seat within the bar of the senate.

On motion of Mr. Cross, the courtesies of the senate were ex-

tended to Hon. L. T. Barin, U. S. marshal for Oregon, and he was invited to a seat within the bar of the senate.

Mr. Gates introduced senate resolution No. 3.

#### SENATE RESOLUTION NO. 3.

*Resolved*, That the rules of the last regular session be adopted as the rules of this session.

On motion of Mr. Gates, the resolution was adopted.

Mr. Willis moved that the state printer be instructed to print 500 copies of the rules of the senate of last session for use of the members.

Mr. Hirsch moved to amend by having 100 copies printed.

Messrs. Hirsch and Veatch called for the yeas and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Butler, Cogswell, Crosno, Hirsch, Huston, Looney, Matlock, McAlister, McGinn, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford, and Mr. President—18.

Nays—Messrs. Alley, Bancroft, Cameron, Cross, Denny, Dodson, Gates, Hayes, Maxwell, Steiwer, Willis, and Woodard—12.

The amendment was adopted.

On motion of Hirsch, the motion as amended was adopted.

Mr. Cogswell introduced senate resolution No. 4.

#### SENATE RESOLUTION NO. 4.

*Resolved*, That the secretary of state be requested to furnish each member of the senate with a copy of the second edition of Hill's Codes of Oregon, and the journals and session laws of the last session of the legislative assembly of this state.

On motion of Mr. Cogswell, the resolution was adopted.

On motion of Mr. Willis, the senate adjourned until 10 o'clock A. M. to-morrow.

O. P. MILLER,  
Chief clerk.

TUESDAY, JANUARY 10, 1893.

#### MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 10, 1893. }

Senate was called to order by the president at 10 o'clock A. M.  
The roll was called, and all the senators were present.

The senate was opened by prayer, offered by Rev. Mr. Kellerman, pastor of the M. E. Church.

The journal of yesterday was read and approved.

Mr. Raley introduced senate concurrent resolution No. 2.

#### SENATE CONCURRENT RESOLUTION NO. 2.

*Resolved by the Senate, the House concurring,* That a joint committee, consisting of the senate and house committees on printing, be appointed to investigate the manner in which the printing for the state has been done during the past two years; and that the said joint committee is hereby empowered to employ an expert, practical printer, and additional assistance if required, to measure and report the amount of printing done for the various departments of state during the past two years.

On motion of Mr. Raley, the resolution was adopted.

The president announced that he had appointed Edwin P. Russell and Charles Hoberg as pages.

The president announced that under senate concurrent resolution No. 1 he had appointed Messrs. Cross and Weatherford as such committee.

Mr. Denny introduced senate concurrent resolution No. 3.

#### SENATE CONCURRENT RESOLUTION NO. 3.

*Resolved by the Senate, the House concurring,* That a committee of five be appointed, consisting of two senators and three representatives, to examine the books and accounts of the secretary of state for the biennial term ended December 31, 1892, with authority to employ suitable clerical aid therefor.

On motion of Mr. Denny, the resolution was adopted.

Mr. Looney introduced senate resolution No. 5.

#### SENATE RESOLUTION NO. 5.

*Resolved,* That the sergeant-at-arms be instructed to furnish each senator with three copies of such newspapers as each may select during the session.

Mr. Cogswell moved to amend by inserting five instead of three. The amendment was adopted.

The resolution as amended was adopted.

Mr. Cogswell introduced senate joint resolution No. 1.

#### SENATE JOINT RESOLUTION NO. 1.

*Resolved by the Senate, the House concurring,* That the secretary of state be and is hereby authorized and empowered to purchase ninety

copies of the second edition of Hill's annotated laws of Oregon for the use of the members of this legislative assembly.

Mr. Cogswell moved its adoption.

On this question the roll was called and the vote was:

Ayes—Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—27.

Nays—Mr. Veatch—1.

Absent—Messrs. Cross and Weatherford—2.

The resolution was adopted.

Mr. Steiwer introduced senate joint resolution No. 2.

#### SENATE JOINT RESOLUTION NO. 2.

Whereas by act of congress approved June 25, 1892, the time within which persons actually residing upon lands forfeited by the act of congress, approved September 29, 1890, could make final proof, was extended to September 29, 1893, but as to persons who were not actually residing upon lands so forfeited, the time for making such proof was limited to February 3, 1893; and whereas the greater portion of the lands in Oregon so forfeited are not actually resided upon, but were settled by persons now entitled to purchase the same, who are occupying adjoining tracts, on which their principal improvements were made, and who are therefore, except in a technical sense, actual settlers upon such forfeited lands; and whereas by reason of an almost entire failure of crops from an unusual drouth in 1892 over the territory in Oregon covered by such forfeiture, the persons so entitled to purchase are entirely without means so to do, and must therefore lose their rights and labor unless a further extension is granted; and whereas if the time be extended until January 1, 1894, these persons will have the proceeds of the coming year's crop out of which to meet such payment, and can then undoubtedly do so; and whereas we believe that under the circumstances these persons should be treated as actually residing upon such lands and have the same rights as those given to actual residents; now, therefore, be it

*Resolved by the Senate, the House concurring,* That our senators and representatives in congress be requested and urged to make a special effort to secure the passage of an act by congress extending the time to make final proof in all cases under the said forfeiture act to January 1, 1894.

*Be it further resolved,* That the secretary of state be instructed to

telegraph a copy of this resolution to our senators and representatives in congress.

Mr. Steiwer moved the adoption of the resolution.

On this question the roll was called, and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President — 28.

Absent — Messrs Cross and Veatch — 2.

The resolution was adopted.

Mr. Willis introduced senate resolution No. 6.

#### SENATE RESOLUTION NO. 6.

*Resolved*, That the reporters of the various newspapers of the state are hereby invited to occupy seats within the bar of the senate, and that the sergeant-at-arms be instructed to provide for their convenience, and also to furnish them with stationery.

On motion of Mr. Willis, the resolution was adopted.

Mr. Vanderburg introduced senate resolution No. 7.

#### SENATE RESOLUTION NO. 7.

*Resolved*, That committee clerks and pages be allowed three dollars per diem.

Mr. Vanderburg moved its adoption.

Mr. Denny moved to amend by referring the matter of the per diem of committee clerks and pages to a special committee of five.

The amendment was adopted, and the resolution was so referred.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 1, appointing a committee informing his excellency of the organization of both houses, and Mr. Speaker has appointed Messrs. Northup, Miller of Linn, and Upton thereunder.



And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 1.

*Resolved by the House, the Senate concurring,* That a committee of three on the part of the house and two on the part of the senate be appointed to inform his excellency, the governor, that both houses are now organized and ready to receive any communication that he may have to make.

The house having concurred in senate concurrent resolution No. 1, on motion of Mr. Weatherford, house concurrent resolution No. 1 was laid on the table.

#### SENATE RESOLUTION NO. 8.

Introduced by Mr. Gates.

*Resolved,* That the secretary of state be and he is hereby directed to supply the sergeant-at-arms of this senate with six dollars' worth of postage stamps and one dollar's worth of wrappers for each senator and officer of the senate; and upon receipt of the same the sergeant-at-arms is directed to distribute the same.

On motion of Mr. Gates, the resolution was adopted.

The president appointed as the senate committee under senate concurrent resolution No. 1, Messrs. Cross and Weatherford.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 2, appointing a committee from both houses to examine the books and accounts of state treasurer, etc., and the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 2.

*Resolved by the House, the Senate concurring,* That a committee of three on the part of the house and two on the part of the senate, be

appointed to examine the books and accounts of the state treasurer, with power to employ necessary clerical aid.

On motion of Mr. Hirsch, the senate concurred in the adoption of house concurrent resolution No. 2.

Mr. Cross, chairman of the committee appointed under senate concurrent resolution No. 1, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 10, 1893. }

We, your joint committee, heretofore appointed by the senate, the house concurring, to wait upon his excellency, the governor, to inform him that the senate and house are organized and ready to receive any communication he may desire to make, beg leave to report that they waited upon his excellency, the governor, and was informed by him that he would deliver a message to the senate and house in joint session at the hour of 2 o'clock P. M. of this day.

H. E. CROSS,  
J. K. WEATHERFORD,  
Committee on the part of the senate.  
H. H. NORTHRUP,  
M. A. MILLER,  
J. H. UPTON,

• Committee on the part of the house.

On motion of Mr. Cross, the report was adopted.

#### SENATE CONCURRENT RESOLUTION NO. 4.

Introduced by Mr. Cogswell.

*Resolved by the Senate, the House concurring,* That a committee of two on the part of the senate and three on the part of the house be appointed to examine the books and records of the state land department and inquire into the manner in which the state lands have been sold, with power to appoint necessary clerical assistance.

On motion of Mr. Cogswell, the resolution was adopted.

On motion of Mr. Bancroft, the courtesies of the senate were extended to ex-Senators Steel, Norval, Rinehart, Chandler, and Dawson, and they were invited to seats within the bar of the senate.

Senate bill No. 1. Mr. Denny. A bill for an act to provide two additional circuit court judges for the fourth judicial district of the state of Oregon, and to amend sections 882, 883, and 887 of Hill's annotated laws of Oregon, relating to circuit judges of said district.

Mr. Denny moved that the rules be suspended and the bill read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Mr. Cogswell—1.

Not voting—Mr. Veatch—1.

So the rules were suspended and senate bill No. 1 was read first time by title only.

Mr. Denny moved that the rules be further suspended and that senate bill No. 1 be read second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Absent—Mr. Cogswell—1.

So the rules were suspended and senate bill No. 1 was read second time by title only.

On motion of Mr. Denny, senate bill No. 1 was referred to a special committee consisting of the senators from Multnomah county.

Senate bill No. 2. Mr. Blackman. A bill for an act appropriating moneys from the general fund of the state of Oregon to aid in the construction of a public wagon bridge across the north fork of the John Day river, on the line of the public wagon road leading from Heppner, Oregon, to Canyon City, Oregon.

Senate bill No. 2 was read first time and passed to second reading without question.

Senate bill No. 3. Mr. Myers. A bill for an act providing for the election of road supervisors, and the levying and collecting of road taxes for the purpose of constructing and keeping in repair the public county roads in the various counties of the state of Oregon.

Mr. Myers moved that the rules be suspended and that senate bill No. 3 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell,

Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Beckley and Cross—2.

So the rules were suspended and senate bill No. 3 was read first time by title only and passed to second reading.

On motion of Mr. Raley, the courtesies of the senate were extended to Hon. Nathan Pierce, presidential elector-elect, and he was conducted to a seat within the bar of the senate.

Senate bill No. 4. Mr. Alley. An act to amend section 4 of an act entitled "An act to authorize the construction and operation of the Siuslaw & Eastern Railway & Navigation Company's lines and branches thereof," filed in the office of the secretary of state, February 25, 1889.

Senate bill No. 4 was read first time and passed to second reading without question.

On motion of Mr. Hirsch, the courtesies of the senate were extended to ex-Governor Chadwick and Hon. J. H. Hawley, and they were provided with seats within the bar of the senate.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 3, appointing committees on part of both houses to visit public works in the state, etc.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 3.

*Resolved by the House, the Senate concurring,* That a committee of three on the part of the house and two on the part of the senate be appointed to visit the public works in the state, including the jetty at the mouth of the Columbia and the locks at the Cascades, with power to employ the necessary clerical assistance and report to the legislature.

On motion of Mr. Willis, the senate concurred in the adoption of house concurrent resolution No. 3.

Senate bill No. 5. Mr. Cogswell. A bill for an act providing for the marking and branding of domestic animals, and protecting owners thereof in the use of such marks and brands.

Mr. Cogswell moved that the rules be suspended and that senate bill No. 5 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Maxwell and Veatch—2.

So the rules were suspended and senate bill No. 5 was read first time by title and passed to second reading without question.

Senate bill No. 6. Mr. McGinn. A bill for an act to amend sections 1, 5, 15, 16, 17, 19 of an act entitled "An act to authorize the cities of Portland, East Portland, and Albina to construct, purchase, or acquire by condemnation or other means one or more bridges across the Willamette river between the city of Portland and the city of East Portland, in Multnomah county, which bridge or bridges shall forever be free to all pedestrians and all classes of vehicles and traffic except railways and street railways," passed by the house, February 2, 1891, and passed by the senate, February 12, 1891, and filed in the office of the secretary of state, February 18, 1891.

Mr. McGinn moved that the rules be suspended and that senate bill No. 6 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 6 was read first time by title only and passed to second reading without question.

Senate bill No. 7. Mr. Steiwer. A bill for an act for the protection of stock raisers.

Mr. Steiwer moved that the rules be suspended and that senate bill No. 7 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron,

Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Gates and Weatherford—2.

So the rules were suspended and senate bill No. 7 was read first time by title only and passed to second reading without question.

On motion of Mr. Myers, the courtesies of the senate were extended to Hon. Geo. E. Chamberlain, attorney-general, and ex-Senator A. G. Hovey, and they were invited to seats within the bar of the senate.

Senate bill No. 8. Mr. Huston. A bill for an an act to incorporate the city of Hillsboro, in the county of Washington and state of Oregon, and to repeal an act entitled "An act to incorporate the town of Hillsboro, in Washington county, Oregon," approved October 19, 1876, and an act to amend an act entitled an act to incorporate the town of Hillsboro, in Washington county, Oregon, approved February 16, 1885, and an act entitled an act to amend an act entitled an act to incorporate the town of Hillsboro, in Washington county, Oregon, approved October 19, 1876, approved February 4, 1887, and an act entitled an act to amend an act to incorporate the town of Hillsboro, in Washington county, Oregon, approved October 19, 1876, as amended by an act to amend an act to incorporate the town of Hillsboro, in Washington county, Oregon, and approved February 4, 1887, which said act was filed in the office of the secretary of state, February 18, 1891.

Mr. Huston moved that the rules be suspended and that senate bill No. 8 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Cogswell and Denny—2.

So the rules were suspended and senate bill No. 8 was read first time by title only.

Mr. Huston moved that the rules be further suspended and that senate bill No. 8 be read second time by title now.

On this question the roll was called, and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston,



Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President — 29.

Absent — Mr. Cogswell — 1.

So the rules were suspended and senate bill No. 8 was read second time by title only.

On motion of Mr. Huston, senate bill No. 8 was referred to a special committee consisting of the senators from Washington county.

By unanimous consent, Mr. Alley introduced senate resolution No. 9.

#### SENATE RESOLUTION NO. 9.

*Resolved*, That the chief clerk be instructed to furnish the members of the senate with a senate calendar every morning.

On motion of Mr. Alley, the resolution was adopted.

Senate bill No. 9. Mr. Cogswell. A bill for an act to declare certain conditional sales, contracts, and leases of personal property void unless recorded.

Senate bill No. 9 was read first time and passed to second reading without question.

Senate bill No. 10. Mr. McGinn. A bill for an act to amend an act to authorize the construction of a bridge across the Willamette river between the city of Portland and the city of East Portland, in Multnomah county, state of Oregon, passed by the senate over the objections and veto of the governor, February 11, 1887, and by the house over the objections and veto of the governor, February 12, 1887, and filed in the office of the secretary of state, February 12, 1887, by adding section 5 thereto.

Senate bill No. 10 was read first time and passed to second reading without question.

Senate bill No. 11. Mr. McGinn. A bill for an act to amend an act entitled "An act to authorize the cities of Portland, East Portland, and Albina to construct, purchase, or acquire by condemnation or other means, one or more bridges across the Willamette river between the city of Portland and the city of East Portland, in Multnomah county, Oregon, which bridge or bridges shall forever be free to all pedestrians and all classes of vehicles and traffic, except railways and street railways," by adding section 25 thereto.

Mr. McGinn moved that the rules be suspended and that senate bill No. 11 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron,

Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodward, and Mr. President—30.

So the rules were suspended and senate bill No. 11 was read first time by title and passed to second reading without question.

Senate bill No. 12. Mr. Myers. A bill for an act to provide for the payment of laborers and employes by receivers of corporations.

Senate bill No. 12 was read first time and passed to second reading without question.

Senate bill No. 13. Mr. Willis. A bill for an act to secure a more equitable valuation of property in assessments for taxation, and to amend sections 2784 and 2593 of the laws of Oregon as compiled by W. Lair Hill, and to amend section 4 of an act entitled an act to amend sections 4061, 4070, 4084, and 4085 of title I. of chapter LXXVI. of the miscellaneous laws of Oregon as compiled and annotated by W. Lair Hill, approved February 25, 1889.

Mr. Willis moved that the rules be suspended and that senate bill No. 13 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodward; and Mr. President—29.

Absent—Mr. Cameron—1.

So the rules were suspended and senate bill No. 13 was read first time by title only and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 4, to appoint a committee from both houses to visit state university, agricultural college, etc., and the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 4.

Introduced by Mr. Lamson.

*Resolved by the House, the Senate concurring,* That a committee consisting of three on the part of the house and two on the part of the senate be appointed to visit the state university, and the agricultural college at Corvallis, and the state normal school at Monmouth, and report their investigations to the legislature, and that they have power to employ the necessary clerical assistance.

On motion of Mr. Willis, the senate concurred in the adoption of house concurrent resolution No. 4.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 6, that a committee from both houses be appointed to examine books of the superintendent of the Oregon penitentiary, etc.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 6.

*Resolved by the House, the Senate concurring,* That a committee of five, three on the part of the house and two on the part of the senate, be appointed to examine the books of the superintendent of the Oregon penitentiary, and to inquire into the manner of the conduct of that institution, and the power to employ necessary clerical assistance, and make due report of their investigations.

On motion of Mr. Willis, the senate concurred in the adoption of house concurrent resolution No. 6.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 7, appointing joint com-

mittee to conduct his excellency, the governor, to joint session, etc.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 7.

*Resolved by the House, the Senate concurring,* That a committee of one on the part of the house, and one on the part of the senate, be appointed to conduct his excellency to the joint session of the house and senate at the hour of 2 o'clock P. M. of this day in the hall of representatives.

On motion of Mr. Willis, the senate concurred in the adoption of house concurrent resolution No. 7.

On motion of Mr. Weatherford, the senate adjourned.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 10, 1893. }

Senate called to order at 2 o'clock P. M.

The roll was called, and all the senators were present.

On motion of Mr. Denny, the courtesies of the senate were extended to Judge J. C. Fullerton, and he was invited to a seat within the bar of the senate.

The following communication from the chamber of commerce was read:—

#### COMMUNICATION.

PORTLAND, Oregon, January 2, 1893.

*To the Honorable the Senate of the State of Oregon—*

GENTLEMEN: At a meeting of the chamber of commerce of Portland, held on December 19, 1892, the officers of the chamber were instructed to communicate with your honorable body, and request that you repeal what is known as the mortgage tax law, and also request that you repeal the clause in the law allowing the deduction of indebtedness from assessment for taxation.

Very respectfully,

T. F. OSBORN,  
President.

On motion of Mr. Willis, the communication was referred to the committee on assessment and taxation.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house is now ready to meet with the senate in joint session.

D. C. SHERMAN,  
Chief clerk.

The hour having arrived for the meeting of the joint convention, the senate repaired to the hall of the house of representatives.

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JOINT CONVENTION.

The joint convention was called to order by President Fulton.

The chief clerk of the senate called the roll of the senate.

Those present were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President.

The chief clerk of the house called the roll of the house.

Those present were:

Messrs. Baughman, Belknap, Belts, Bishop, Blevens, Brown of Douglas, Brown of Morrow, Campbell, Chandler, Coon, Cooper, Cornelius, Currin, Daly, Day, Duncan, Durham, Elmore, Ford, Geer of Clackamas, Geer of Marion, Gill, Goodrich, Gowan, Gullixson, Hobbs, Houck, Inman, Jeffreys, King, Lamson, Lawton, Layman, Maloney, Manley, Mays, McEwen, Merrill, Merritt, Miller, Myer, Myers, Nichols, Nickell, Northup, Ormsby, Paxton, Russell, Sheridan, Staats, Stone, Toner, Trullinger, Upton, Wilkins. Wilkinson, Wright of Marion, Wright of Union, and Mr. Speaker.

Absent—Mr. Buxton.

Mr. Paxton moved that a committee of three be appointed by the president to await on the judges of the supreme court and escort them to the hall of the joint convention.

The motion prevailed.

The president appointed as such committee Senator McGinn and Representatives Paxton and Daly.

On motion of Senator Hirsch, ex-Governor Moody and ex-Governor Chadwick were invited to seats on the platform.

On motion of Representative Brown of Morrow, Hon. W. R. Ellis, member of congress from the second district, was invited to a seat upon the platform.

The sergeant-at-arms announced the presence of the judges of the supreme court, and they were invited to seats upon the platform.

The joint committee appointed to conduct his excellency, the governor, to the joint convention appeared with his excellency, the governor, who was escorted to the platform and delivered his biennial message.

On motion of Mr. Cogswell, the joint convention dissolved.

#### IN THE SENATE.

Senate bill No. 14. Mr. Cross. A bill for an act to provide for the better protection of life and property by establishing a board of examiners for the purpose of examining and licensing steam engineers in the state of Oregon.

Mr. Cross moved that the rules be suspended and that senate bill No. 14 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—26.

Absent—Messrs. Cogswell, Hirsch, McGinn, and Myers—4.

So the rules were suspended and senate bill No. 14 was read first time by title only.

Mr. Cross moved to further suspend the rules and read senate bill No. 14 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Cogswell and Hirsch—2.

So the rules were suspended and senate bill No. 14 was read second time by title only.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 1.

And the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 3, and the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 10, appointing a joint committee of both houses to submit a joint memorial to congress.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 10.

*Resolved by the House, the Senate concurring,* That a committee of three from the house and two from the senate be appointed to submit a joint memorial to the United States congress on the subject of foreign immigration.

On motion of Mr. Cogswell, the senate concurred in the adoption of house concurrent resolution No. 10.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 11, appointing a committee from both houses to prepare a memorial to congress relative to the Nicaragua canal, etc.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 11.

*Resolved by the House, the Senate concurring,* That a committee of three on the part of the house and two on the part of the senate be appointed to prepare a joint memorial to congress praying that it take such steps as will secure the early completion of the Nicaragua canal, and its control by the United States.

On motion of Mr. Cross, the senate concurred in the adoption of house concurrent resolution No. 11.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 1, asking the members of the senate and house of representatives of the United States to use their influence in having the World's Fair kept open for the use of the public on Sundays.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## HOUSE JOINT MEMORIAL NO. 1.

*To the Honorable Senate and House of Representatives of the United States of America in Congress assembled:* We, your memorialists, do represent that through the action of congress the World's Fair buildings at Chicago, Illinois, will, during the time of the World's



Fair exhibit, be closed to the public on Sundays, and it is our belief that said closing on Sunday will work a hardship on the working classes in and near Chicago, depriving them of their only chance to see the great exhibition, and as well will it work a hardship on visitors of other sections of the United States and visitors from foreign countries as well, as it will deprive them of a chance to go to enjoy themselves in a proper manner, to the profit of saloons and kindred places of amusement; and we respectfully ask that said World's Fair exhibit be opened to the public on Sundays as on other days, with proper limitations in regard to the running of machinery.

Mr. Huston moved the adoption of the memorial.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—30.

So the memorial was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 2.

And the same is herewith transmitted to you.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 4.

And the same is herewith transmitted to you.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. Raley, the senate adjourned.

O. P. MILLER,  
Chief clerk.

WEDNESDAY, JANUARY 11, 1893

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 11, 1893. }

Senate called to order at 10 o'clock A. M., the president in the chair.

The roll was called and all the senators present.

The senate was opened with prayer by the Rev. Mr. Bowersox of Salem.

Senate bill No. 15. Mr. Denny. A bill for an act to prevent a person from trespassing upon any enclosed premises or lands not his own being armed with a gun, pistol, or other firearm.

Senate bill No. 15 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted senate joint resolution No. 1, after amending the same to read the official edition of 1887.

And the same as amended is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. Weatherford, the senate refused to concur in the house amendment to senate concurrent resolution No. 1, and the resolution was returned to the house.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted senate joint resolution No. 2, relative to forfeited lands.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

By unanimous consent, Mr. Blackman introduced senate concurrent resolution No. 5.

SENATE CONCURRENT RESOLUTION NO. 5.

*Resolved by the Senate, the House concurring,* That the regular committees on education of the senate and of the house, as a joint committee, be requested to visit and report upon the condition of the state school for the blind and the state reform school, and the needs of the same, and that they likewise examine and consider the reports of the state board of education relative to the proposed appropriations made for additional school buildings, officers' quarters, workshops, etc., and for the full equipment and furnishing of the same, and for the current expenses of these institutions for the next two years; and also that they examine the books and accounts of the same and of the department of public instruction, and report upon the recommendations made by the state superintendent of public instruction for the advancement and development of our public schools for the next two years.

On motion of Mr. Blackman, the resolution was adopted.

Senate bill No. 16. Mr. Bancroft. A bill for an act entitled an act to regulate the assessment of property for taxation, to repeal sections 3 and 6 of an act approved January 27, 1854, entitled an act relating to the assessment and collection of taxes, and also to repeal all of an act approved October 26, 1882, entitled an act to define the terms land and real property for the purpose of taxation, and to provide where the same may be assessed and taxed, etc.

Senate bill No. 16 was read first time and passed to second reading without question.

Senate bill No. 17. Mr. Looney. A bill for an act to regulate hunting on enclosed lands.

Senate bill No. 17 was read first time and passed to second reading without question.

Senate bill No. 18. Mr. McGinn. A bill for an act to amend section 951 of title I. of chapter XII. of the code of civil procedure, as compiled and annotated by W. Lair Hill, and sections 952, 954, 956 of title II. of chapter XII., and sections 958, 959, 960, 961, and 962 of title III. of chapter XII. of the said code, repealing section 955, title III., chapter XII., of said code, and to amend section 947 of title I. of chapter XII. of said code.

Senate bill No. 18 was read first time and passed to second reading without question.

Senate bill No. 19. Mr. McGinn. A bill for an act entitled an act to legalize the acts and ratify and confirm the incorporation of religious, charitable, and benevolent organizations.

Senate bill No. 19 was read first time and passed to second reading without question.

Senate bill No. 20. Mr. McGinn. A bill for an act to amend section 382 of chapter V. of the laws of Oregon, as compiled and annotated by William Lair Hill.

Senate bill No. 20 was read first time and passed to second reading without question.

Senate bill No. 21. Mr. Matlock. A bill for an act to create a commission to provide for the display of Oregon's resources at the World's Columbian Exposition, to define its duties, and to appropriate money therefor.

Senate bill No. 21 was read first time by title.

Mr. Matlock moved that the rules be suspended and that senate bill No. 21 be read second time now by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Absent—Mr. Denny—1.

So the rules were suspended and senate bill No. 21 was read second time by title only.

By unanimous consent, Mr. Matlock introduced senate concurrent resolution No. 6.

#### SENATE CONCURRENT RESOLUTION NO. 6.

*Resolved by the Senate, the House concurring,* That a joint committee, consisting of two from the senate and three from the house, be appointed to consider the subject of an appropriation for an exhibition at the world's fair at Chicago.

On motion of Mr. Matlock, the resolution was adopted.

Senate bill No. 22. Mr. Bancroft. A bill for an act to define and punish obstruction to railroads, railroad trains, railroad tracks, street cars and street car tracks in the state of Oregon, and to protect the passengers and employes riding upon any train or car in said state.

Senate bill No. 22 was read first time and passed to second reading without question.

On motion of Mr. Hirsch, the courtesies of the senate were extended to Hon. John Q. Wilson, and he was invited to a seat within the bar.

Senate bill No. 23. Mr. Myers. A bill for an act to provide for the filing of chattel mortgages.

Senate bill No. 23 was read first time and passed to second reading without question.

Senate bill No. 24. Mr. Myers. A bill for an act to amend sections 2562 and 2563, chapter XIV., title IX., Hill's annotated laws of Oregon.

Senate bill No. 24 was read first time and passed to second reading without question.

Senate bill No. 25. Mr. Cross. A bill for an act entitled an act to amend an act entitled an act to amend section 2364 of title II. of chapter II. of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, filed in the office of the secretary of state, February 19, 1891.

Senate bill No. 25 was read first time and passed to second reading without question.

Senate bill No. 26. Mr. Alley. A bill for an act to incorporate the town of Florence, Lane county, Oregon.

Senate bill No. 26 was read first time and passed to second reading without question.

Mr. Alley moved that the rules be suspended and that senate bill No. 26 be read the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Hirsch and Willis—2.

So the rules were suspended and senate bill No. 26 was read second time by title only.

On motion of Mr. Alley, senate bill No. 26 was referred to the committee on corporations.

On motion of Mr. Huston, the courtesies of the senate were extended to Hon. Morton D. Clifford, and he was invited to a seat within the bar.

Senate bill No. 27. Mr. Blackman. A bill for an act regulating the amount to be paid on a policy of insurance.

Senate bill No. 27 was read the first time and passed to second reading without question.

Senate bill No. 28. Mr. Steiwer. An act to incorporate the town of Condon, Gilliam county, Oregon.

Mr. Steiwer moved that the rules be suspended and that senate bill No. 28 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—25.

Absent—Messrs. Butler, Hirsch, McGinn, Myers, and Veatch—5.

So the rules were suspended and senate bill No. 28 was read first time by title only and passed to second reading without question.

Senate bill No. 29. Mr. Cameron. A bill for an act to establish a state mining bureau and create the office of state mineralogist and geologist in charge of the same.

Senate bill No. 29 was read first time and passed to second reading without question.

Senate bill No. 30. Mr. Weatherford. A bill for an act to exempt homesteads from attachment and execution.

Mr. Weatherford moved that the rules be suspended and that senate bill No. 30 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Hirsch, Matlock, and Myers—3.

So the rules were suspended and senate bill No. 30 was read first time by title only and passed to second reading without question.

Senate bill No. 31. Mr. Alley. A bill for an act to incorporate the town of Springfield, and to repeal all acts and parts of acts relating to the incorporation of the town of Springfield, and all acts amendatory thereof.

Mr. Alley moved that the rules be suspended and that senate bill No. 31 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Hirsch, Matlock, and Myers—3.

So the rules were suspended and senate bill No. 31 was read first time by title only and passed to second reading without question.

Senate bill No. 32. Mr. Vanderburg. A bill for an act entitled an act to amend the charter of the city of Myrtle Point, in the county of Coos and state of Oregon; to authorize the said town to issue bonds for the construction of a system of water works for the use of the inhabitants of said town or city, for fire and domestic purposes; to provide for the lighting of the said city with gas or electricity; for sewerage purposes, and for the improvements of street and highways.

Senate bill No. 32 was read first time and passed to second reading without question.

Senate bill No. 33. Mr. Crosno. A bill for an act to appropriate money for the completion and equipment of buildings for the state agricultural college for which appropriations were made by the act filed in the office of the secretary of state, February 19, 1891, and to appropriate moneys for extended facilities for teaching agriculture, horticulture, and the mechanic arts, for draining the farm, for better heating, furnishing, and equipping the college building, and for enlarging the accommodation for students in the said state agricultural college.

Mr. Crosno moved that the rules be suspended and that senate bill No. 33 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Maxwell, Myers, and Weatherford—3.

So the rules were suspended and senate bill No. 33 was read first time by title only and passed to second reading without question.

Senate bill No. 34. Mr. Denny. A bill for an act to provide for the commitment of persons incapable of self-control from the excessive use of narcotic drugs to the insane asylum.

Senate bill No. 34 was read first time and passed to second reading without question.

Senate bill No. 35. Mr. Willis. A bill to establish and incorporate the Port of Columbia, and to provide for the improvement of the Columbia river in and adjoining said port, and to provide a railway or canal and locks at and around Tumwater and the dalles in said Columbia river.

Senate bill No. 35 was read first time and passed to second reading without question.



Senate bill No. 36. Mr. Huston. An act to incorporate the town of Sherwood in the county of Washington, state of Oregon.

Mr. Huston moved that the rules be suspended and that senate bill No. 36 be read the first by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—26.

Absent—Messrs. Alley, Matlock, McGinn, and Weatherford—4.

So the rules were suspended and senate bill No. 36 was read first time by title only and passed to second reading without question.

Senate bill No. 37. Mr. Blackman. A bill for an act to amend section 711 of the codes and general laws of Oregon.

Senate bill No. 37 was read first time and passed to second reading without question.

Senate bill No. 38. Mr. Maxwell. A bill for an act to fix the salaries of the county treasurers of this state, and to repeal all acts and parts of acts in conflict with this act.

Senate bill No. 38 was read first time and passed to second reading without question.

Senate bill No. 39. Mr. Willis. A bill for an act to provide additional circuit judges for the fourth judicial district, and to repeal the third and seventh sections of an act entitled "An act to provide for an additional circuit judge for the fourth judicial district," approved February 17, 1885.

Senate bill No. 39 was read first time and passed to second reading without question.

Senate bill No. 40. Mr. Bancroft. A bill for an act to protect common carriers.

Senate bill No. 40 was read first time and passed to second reading without question.

Senate bill No. 41. Mr. Raley. A bill for an act to create the office of recorder of conveyances in the county of Umatilla, and to define the duties thereof.

Mr. Raley moved that the rules be suspended, and that senate bill No. 41 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Blackman, Crosno, and Weatherford—3.



So the rules were suspended and senate bill No. 41 was read first time by title only and passed to second reading without question.

Mr. Raley moved to further suspend the rules and read senate bill No. 41 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—26.

Nays—Mr. Veatch—1.

Absent—Messrs. Crosno and Weatherford—2.

Not voting—Mr. Butler—1.

So the rules were suspended and senate bill No. 41 was read second time by title and passed to second reading.

On motion of Mr. Raley, senate bill No. 41 was referred to a special committee consisting of the senators from Umatilla county.

By unanimous consent, Mr. Cogswell introduced senate resolution No. 10.

#### SENATE RESOLUTION NO. 10.

*Resolved*, That the state printer be directed to print 1,000 copies of the governor's message for the use of the senate.

Mr. Cogswell moved the adoption of the resolution.

Mr. Denny moved to amend by striking out 1,000 and inserting in lieu thereof 500.

The amendment was adopted.

The motion as amended was adopted.

Senate bill No. 42. Mr. Cameron. An act entitled an act to amend section 2465, Hill's annotated laws of Oregon.

Senate bill No. 42 was read first time and passed to second reading without question.

Senate bill No. 43. Mr. McAlister. A bill for an act to amend sections 1, 2, and 7 of an act entitled "An act for the extirpation of the Canada thistle," approved February 25, 1889.

Mr. McAlister moved that the rules be suspended and that senate bill No. 43 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Gates and Weatherford—2.

Not voting—1.

So the rules were suspended and senate bill No. 43 was read first time by title only and passed to second reading without question.

Senate bill No. 44. Mr. Denny. A bill for an act to amend section 3040 of Hill's annotated laws of the state of Oregon, relating to defective acknowledgments.

Senate bill No. 44 was read first time and passed to second reading without question.

Senate bill No. 45. Mr. Willis. A bill for an act to amend section 951 of title I. of chapter XII. of the code of civil procedure, as compiled and annotated by W. Lair Hill, and section 954 of title II. of chapter XII. of the above-mentioned code, and sections 958 and 968 of title III. of chapter XII. of the above-mentioned code.

Senate bill No. 45 was read first time and passed to second reading without question.

By unanimous consent, Mr. Raley introduced senate concurrent resolution No. 7.

#### SENATE CONCURRENT RESOLUTION NO. 7.

*Resolved by the Senate, the House concurring,* That a committee of two on the part of the senate and three on the part of the house be appointed to examine the books of the superintendent and inquire into the management of the Oregon insane asylum.

On motion of Mr. Raley, the resolution was adopted.

Senate bill No. 46. Mr. Huston. A bill for an act to punish the pointing of firearms at a human being.

Senate bill No. 46 was read first time and passed to second reading without question.

Senate bill No. 47. Mr. Bancroft. A bill for an act entitled "An act to regulate the collection of taxes"; to repeal an act approved October 21, 1864, entitled "An act to provide for the collection of taxes"; to repeal an act approved December 18, 1865, entitled "An act to amend an act to provide for the collection of taxes, etc."; to repeal an act approved October 24, 1866, entitled "An act to facilitate the collection of taxes in certain cases"; to repeal sections 31 to 94, inclusive, of an act approved January 27, 1854, entitled "An act relating to the assessment and collection of taxes"; to repeal sections 41, 45, 46, 55, paragraph 2, of section 37, and paragraphs 3 and 4 of section 54 of an act approved October 29, 1872, entitled "An act to establish a uniform course of public instruction, etc."; to repeal sections 19 to 28, inclusive, and 31 to 36, inclusive, of an act approved October 20, 1860, entitled an act to regulate roads; to repeal "An act to regulate roads"; to repeal an act approved October 22, 1864, entitled "An act to amend an act entitled an act to regulate

roads"; and also to repeal an act approved December 19, 1865, entitled "An act to regulate roads and highways, etc."

Mr. Bancroft moved that the rules be suspended and that senate bill No. 47 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—28.

Absent—Messrs. McGinn and Weatherford—2.

So the rules were suspended and senate bill No. 47 was read first time by title and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 6.

And the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

Mr. Matlock moved that senate bill No. 21 be referred to the special committee under senate concurrent resolution No. 6.

Mr. Weatherford moved that the bill be referred to the committee on ways and means.

Motion to refer was lost.

The motion to refer to special committee prevailed, and the bill was so referred.

On motion of Mr. Hayes, the courtesies of the senate were extended to Hon. Lon Cleaver, of the United States land office of La Grande, and he was invited to a seat within the bar of the senate.

On motion of Mr. Denny, the courtesies of the senate were extended to Hon. R. P. Boise, and he was invited to a seat within the bar of the senate.

Senate bill No. 48. Mr. Denny. A bill for an act to amend section 397 of title I. of chapter V., and section 815 of title V. of chapter IX. of the code of civil procedure as compiled and annotated by W. Lair Hill.

Senate bill No. 48 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 5.

And the same is herewith returned to you.

D. C. SHERMAN,  
 Chief clerk.

By unanimous consent, Mr. Myers introduced senate resolution No. 11.

## SENATE RESOLUTION NO. 11.

*Resolved,* That the secretary of state be instructed to furnish each member of the senate with the last four copies of the supreme court reports of Oregon, 20th, 21st, 22d, and 23d volumes.

Mr. Myers moved the adoption of the resolution.

Mr. Willis moved to amend by adding thereto the 24th and 25th volumes.

Mr. Myers accepted the amendment, and the resolution as amended was adopted.

Senate bill No. 49. Mr. Willis. A bill for an act to amend a law enacted by the legislative assembly of the state of Oregon in the year 1891 and entitled an act to authorize the cities of Portland, East Portland, and Albina to construct, purchase, or acquire by condemnation or other means, one or more bridges across the Willamette river between the city of Portland and the city of East Portland, in Multnomah county, Oregon; which bridge or bridges shall forever be free to all pedestrians and all classes of vehicles and traffic, except railways and street railways.

Senate bill No. 49 was read first time and passed to second reading without question.

Senate bill No. 50. Mr. Cross. A bill for an act to change in part the compensation and mode of payment thereof, to the clerk of the supreme court, county clerks, recorders of conveyances, clerks of the circuit court and county courts in the state, and of the sheriffs of the several counties; to repeal certain provisions of statute providing for the payment of certain fees to said officers, and of trial fees in certain cases; to provide for the payment by parties to appeals, actions, suits, and proceedings of certain sums to assist the state and the several counties in defraying expenses consequent upon the administration of justice; to provide for the appointment

of deputies for the various offices above enumerated in certain cases, and for their compensation; and for the payment to the state and several counties of sums of money and fees paid to officers by parties litigant.

Mr. Cross moved that the rules be suspended and that senate bill No. 50 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Veatch and Weatherford—2.

So the rules were suspended and senate bill No. 50 was read first time by title only and passed to second reading without question.

On motion of Mr. McGinn, the senate adjourned.

## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 11, 1893. }

The senate was called to order at 2 o'clock P. M. by the president.

The roll being called, Messrs. Dodson and McGinn were noted as being absent.

The president announced that the ladies of the Episcopal Church would give a supper tonight at their church, and the senators were respectfully invited to attend.

The president announced the following special committees on the part of the senate:

Under senate concurrent resolution No. 3, to investigate the state land department, Messrs. Steiwer and Cogswell.

Under senate resolution No. 7, fixing the pay of committee clerks and pages, Messrs. Denny, Looney, Dodson, Cogswell, and Myers.

Under house concurrent resolution No. 3, to visit the Cascade locks, and jetty at the mouth of the Columbia river, Messrs. Cross and Veatch.

Under house concurrent resolution No. 4, to visit the state university, state normal school, and agricultural college, Messrs. McGinn and Matlock.

Under house concurrent resolution No. 5, to report on the state

penitentiary and management thereof, Messrs. Willis and Weatherford.

Under senate concurrent resolution No. 6, to consider an appropriation for the World's Fair, Messrs. Woodard and Raley.

Senate bill No. 51. Mr. Cross. A bill for an act to amend an act entitled an act to amend sections 4061, 4070, and 4085 of title I., chapter LXXVI., of the miscellaneous laws of Oregon as compiled and annotated by W. Lair Hill.

Senate bill No. 51 was read first time and passed to second reading without question.

Senate bill No. 52. Mr. Butler. A bill for an act to appropriate money for the erection and furnishing of a wing to the state normal school building at Monmouth, Polk county, Oregon, and for a dining hall, dormitory, and other improvements, and for the purchase of a site for said dining hall and dormitory, and to provide for properly heating said school buildings, and to purchase a library and apparatus for said school, to fulfill the purposes for which the state normal school at Monmouth was organized under the act approved February 21, 1891, and to provide the necessary recitation and model school rooms and chapel room to accommodate the needs and the large and increasing attendance at said school.

Senate bill No. 52 was read first time and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 12, appointing committee from both houses to visit orphans' homes and similar institutions.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

Senate concurred.

#### HOUSE CONCURRENT RESOLUTION NO. 12.

*Resolved by the House, the Senate concurring,* That a committee from the house and two from the senate be appointed to visit the orphans' home, located at Salem, and also the "Home," a like institution, located in the city of Portland, under the management of the

ladies' relief society, and all other charitable institutions in the state, and report the same to both houses of the legislature.

On motion of Mr. Vanderburg, the senate concurred in the adoption of house concurrent resolution No. 12.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 2, proposing to amend the constitution of the state of Oregon by repealing section 35 of article I.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### HOUSE JOINT RESOLUTION NO. 2.

Introduced by Mr. Northrup. Proposing an amendment to the constitution of the state of Oregon by repealing section 35 of article I.

*Resolved by the House, the Senate concurring,* That section 35 of article I. of the constitution be and is hereby repealed.

On motion of Mr. Weatherford, house joint resolution No. 2 was referred to the committee on judiciary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 3, proposing to amend section 2, article II., of the constitution of the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### HOUSE JOINT RESOLUTION NO. 3.

Introduced by Mr. Northrup. Proposing an amendment to the constitution of the state of Oregon.



*Resolved by the House, the Senate concurring,* That the following amendment to the constitution of the state of Oregon be and is hereby proposed: That section 2 of article II. be amended so as to read as follows:—

Section 2. . In all elections not otherwise provided for by this constitution, every male citizen of the United States, of the age of twenty-one years and upwards, who shall have resided in the state during the six months immediately preceding such election, and every male of foreign birth of the age of twenty-one years and upwards, who shall have resided in this state during the six months immediately preceding such election, and shall have declared his intention to become a citizen of the United States three years preceding such election, conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote at all elections authorized by law; but registration laws may be enacted by the legislative assembly.

On motion of Mr. Weatherford, house joint resolution No. 3 was referred to the committee on elections.

Senate bill No. 53. Mr. Raley. A bill for an act to authorize and empower the governor, secretary of state, and state treasurer of the state of Oregon, and their successors in office, for, on and in the name and behalf of the state of Oregon, to build, construct, operate, and maintain a portage railway between the highest and lowest points of the navigable waters of the Columbia river, between The Dalles and Celilo, in Oregon, and to build and construct all necessary switches and approaches thereto, and to equip, run, operate, and perpetually maintain the same, and to sue for and condemn private property for all necessary purposes in any way connected therewith, and to charge and collect freights and fares thereon, and to appropriate money therefor.

Mr. Raley moved that the rules be suspended and that senate bill No. 53 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President — 28.

Absent — Messrs. McGinn and Weatherford — 2.

So the rules were suspended and senate bill No. 53 was read first time by title only and passed to second reading without question.

Senate bill No. 54. Mr. Huston. A bill for an act to provide for the assessment of dogs.



Mr. Huston moved that the rules be suspended and that senate bill No. 54 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. McGinn and Myers—2.

So the rules were suspended and senate bill No. 54 was read first time by title only and passed to second reading without question.

Senate bill No. 55. Mr. Bancroft. A bill for an act to build and furnish schoolhouses, purchasing school sites, and for repairing and improving the same.

Mr. Bancroft moved that the rules be suspended and that senate bill No. 55 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. McGinn and Myers—2.

So the rules were suspended and senate bill No. 55 was read first time by title only and passed to second reading without question.

Senate bill No. 56. Mr. Steiwer. A bill for an act to amend section 18 of an act entitled "An act to incorporate the town of Fossil in Gilliam county, Oregon," as filed in the office of the secretary of state, February 18, 1891.

Mr. Steiwer moved that the rules be suspended and that senate bill No. 56 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Absent—Mr. Myers—1.

So the rules were suspended and senate bill No. 56 was read first time by title only and passed to second reading without question.

Senate bill No. 57. Mr. Huston. A bill for an act to punish any

person who provokes another or attempts to provoke another to commit an assault.

Senate bill No. 57 was read first time and passed to second reading without question.

Senate bill No. 58. Mr. Bancroft. A bill for an act to define and punish an attempt to break and the breaking into any railway car situated in the state of Oregon, and to protect property therein contained.

Senate bill No. 58 was read first time and passed to second reading without question.

On motion of Mr. Willis, the senate adjourned.

O. P. MILLER,  
Chief clerk.

THURSDAY, JANUARY 12, 1893.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 12, 1893. }

Senate called to order at 10 o'clock A. M., Mr. President in the chair.

The roll was called, and all the senators present except Mr. Hayes, who was absent on leave.

The senate was opened with prayer by the Rev. W. Lund of the Episcopal Church.

On motion of Mr. Looney, the reading of the journal of yesterday was dispensed with.

On motion of Mr. Dodson, the courtesies of the senate were extended to Hon. C. F. Hyde, and he was invited to a seat within the bar of the senate.

On motion of Mr. Blackman, the courtesies of the senate were extended to Hon. James H. Slater, ex-United States senator of this state, and he was invited to a seat within the bar of the senate.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

receded from its amendment to senate joint resolution No. 1, and has adopted the original resolution.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 11, 1893. }

*Mr. President :*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 1, proposing an amendment to section 31, article I., of the constitution of the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### HOUSE JOINT RESOLUTION NO. 1.

Introduced by Mr. Northup. Proposing an amendment to the constitution of the state of Oregon.

*Resolved by the house, the senate concurring,* That the following amendment to the constitution of the state of Oregon be and hereby is proposed: That section 31 of article I. be amended by striking out the following portions thereof, to wit: "White foreigners who are or may hereafter become residents of this state shall enjoy the same rights in respect to the possession, enjoyment, and descent of property as native-born citizens, and so that said section of said article shall read as follows:

Section 31. The legislative assembly shall have power to restrain and regulate the immigration to this state of persons not qualified to become citizens of the United States.

On motion of Mr. Weatherford, house joint resolution No 1 was referred to the committee on judiciary.

Senate bill No. 59. Mr. Dodson. (By unanimous consent.) A bill for an act to amend an act entitled an act to provide times and places of holding the terms of court in the sixth judicial district of the state of Oregon, and to repeal all acts and parts of acts in conflict with this act, and to increase the salaries of the judges therein.

Senate bill No. 59 was read first time.

Mr. Dodson moved that the rules be suspended and that senate bill No. 59 be read second time now by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—26.

Nays—Messrs. Beckley, Cogswell, and Veatch—3.

Not voting—Mr. Weatherford—1.

So the rules were suspended and senate bill No. 59 was read second time by title.

On motion of Mr. Dodson, senate bill No. 59 was referred to a special committee consisting of the senators from the sixth judicial district.

Senate bill No. 60. Mr. Looney. (By unanimous consent.) A bill for an act to amend an act entitled "An act to prevent the production and sale of unwholesome foods, and regulate sales of adulterated food, drinks, medicines," approved February 25, 1889.

Mr. Looney moved that the rules be suspended and that senate bill No. 60 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Blackman and Matlock—2.

So the rules were suspended and senate bill No. 60 was read first time by title only and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 7, for a committee of both houses to investigate the management of the asylum.

And the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted a motion requesting that house joint resolution No. 3 be returned to the house.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. Cogswell, the request was granted, and house joint resolution No. 3 was returned to the house.

Mr. Cogswell presented a petition from the members of troop B, cavalry, Oregon national guard, Linkville, Oregon, asking for the increase of the military tax one fifth of a mill, and also to secure an appropriation of \$10,000 for the immediate use of the Oregon national guard; also a petition from Klamath county, asking for an increase of the military tax to two fifths of a mill, and for an appropriation of \$10,000 for the immediate use of the Oregon national guard.

On motion of Mr. Cogswell, the petitions were referred to the committee on military affairs.

Senate bill No. 61. Mr. Cameron. A bill for an act entitled an act to amend section 2343 and 2364 of chapter XI., title I., of Hill's annotated laws of Oregon, and section 2370 of chapter XI., title II., of Hill's annotated laws of Oregon.

Senate bill No. 61 was read first time and passed to second reading without question.

Senate bill No. 62. Mr. Butler. (By unanimous consent.) An act to amend an act entitled an act to amend an act entitled an act to create the office of recorder of conveyances in the counties of Lane, Marion, Washington, and Yamhill, and to prescribe the duties and fees of the same, approved February 21, 1887, and to create the office of recorder of conveyances in the counties of Baker, Clackamas, Clatsop, Linn, Marion, Union, Washington, Yamhill, and Jackson, and to provide the duties and fees of the same, approved February 25, 1889, and to create the office of recorder of conveyances in the counties of Baker, Clackamas, Clatsop, Linn, Marion, Union, Washington, Yamhill, Jackson, and Polk, and to prescribe the duties and fees of the same.

Senate bill No. 62 was read first time and passed to second reading without question.

## SENATE CONCURRENT RESOLUTION NO. 8.

Introduced by Mr. Maxwell.

*Resolved by the House, the Senate concurring,* That a joint committee of two on the part of the senate and three on the part of the house be appointed to examine the books of the military board.

On motion of Mr. Maxwell, the resolution was adopted.

Mr. Alley introduced senate concurrent resolution No. 9.

## SENATE CONCURRENT RESOLUTION NO. 9.

Whereas the Siuslaw river at its mouth now flows through the south instead of the north channel on its way to the ocean, and the water on the bar is of greater depth, according to government survey, than is recorded in the last annual engineer's report; and whereas the congress of 1890 appropriated \$50,000 to purchase a plant for building the jetties at the mouth of the Siuslaw river, and the congress of 1892 further appropriated \$20,000 to commence work on the jetties; and whereas the resources of the county through which the Siuslaw river flows abound in the finest forests of fir and cedar, the amount of which is unlimited and the area greater than three eastern states, together with large tracts of fruit and farming lands, all of which must of a necessity pass over the Siuslaw bar to reach the markets of the outer world; and whereas in consequence thereof the construction of a railroad has been commenced at Florence, to be built through Eastern Oregon and connect with continental lines, thus forming an outlet to other markets for the products of a portion of the Inland Empire of Oregon, it becomes a matter of importance that congress make more liberal appropriations in the future than it has in the past for improvements at the mouth of the Siuslaw; and to this end be it

*Resolved, the House concurring,* That Captain Thomas W. Symons, United States engineer, in charge of government work at the mouth of the Siuslaw river, is earnestly requested to set forth these facts in his next annual report to the government regarding the Siuslaw harbor, upon which report appropriations are based. Be it further

*Resolved,* That the chief clerk of the senate be instructed to forward a copy of these resolutions to Captain Thomas W. Symons, of Portland, Oregon, and one to each of Oregon's United States senators and members of congress.

On motion of Mr. Alley, the resolution was adopted.

## SENATE RESOLUTION NO. 12.

Introduced by Mr. Cross.

Whereas it has been alleged that heretofore in the distribution of

patronage in the senate several favored or importunate persons having received as many as three and four clerkship appointments and have drawn pay therefor for the full forty days of the session; therefore be it

*Resolved*, That hereafter no clerk shall receive more than one appointment to a clerkship in the gift of the senate nor receive pay for more than one such appointment.

On motion of Mr. Cross, the resolution was adopted.

#### SENATE RESOLUTION NO. 13.

Introduced by Mr. Cross.

*Resolved*, That the secretary of state be and he is hereby instructed to prepare a certified statement or copy of the emolument returns for the four years ending January 1, 1893, of the sheriffs, clerks, and district attorney fees within the state of Oregon as required to be made under section 2378 of Hill's code, and what officers, if any, and at what times, if any, such emolument returns have not been made; such statement when so made and certified to, to be transmitted to this honorable senate.

On motion of Mr. Cross, the resolution was adopted.

Mr. Crosno moved that when the senate adjourns it adjourn to meet on Monday next at 2 o'clock P. M.

Motion adopted.

The president appointed as a committee on the part of the senate under house concurrent resolution No. 12, to visit the orphans' home and other charitable institutions, Messrs. Dodson and Vanderburg.

The special committee to whom was referred senate bill No. 41 submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 12, 1893. }

*Mr. President:*

Your special committee to whom was referred senate bill No. 41, beg leave to report that we have had the same under consideration and beg leave to report the same back with the recommendation that it do pass.

Respectfully, .

J. H. RALEY,  
W. F. MATLOCK.



On motion of Mr. Raley, the report was adopted and senate bill No. 41 was considered engrossed and ordered to third reading tomorrow.

Senate bill No. 63. Mr. Denny. A bill for an act to enable married women to convey their real property without their husbands being joined in the conveyance.

Senate bill No. 63 was read first time and passed to second reading without question.

Senate bill No. 64. Mr. Maxwell. A bill for an act to incorporate the city of Tillamook City in Tillamook county, state of Oregon, and to repeal all acts or parts of acts in conflict herewith.

Mr. Maxwell moved that the rules be suspended and that senate bill No. 64 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Smith, Steiwer, Vandenburg, Veatch, Willis, Woodard, and Mr. President—26.

Absent—Messrs. Blackman, Gates, Raley, and Weatherford—4.

So the rules were suspended and senate bill No. 64 was read first time by title only and passed to second reading without question.

Senate bill No. 65. Mr. Denny. An act to regulate the incorporation and business of building and loan, and savings and loan associations doing a general business.

Senate bill No. 65 was read first time and passed to second reading without question.

Senate bill No. 66. Mr. Smith. A bill to amend section four thousand forty-six (4046) and section four thousand forty-seven (4047), title IV. (4), chapter LXXIII. (73), of the miscellaneous laws of Oregon as compiled by William Lair Hill, relating to the killing of live stock by railroads.

Senate bill No. 66 was read first time and passed to second reading without question.

On motion of Mr. Gates, the courtesies of the senate were extended to Hon. John R. McBride, and he was invited to a seat within the bar of the senate.

Senate bill No. 67. Mr. Dodson. An act to repeal section 2343 of the miscellaneous laws of the state of Oregon, as compiled and annotated by William Lair Hill, so far as said section applies to the counties of Baker and Malheur.

Senate bill No. 67 was read first time and passed to second reading without question.

Senate bill No. 68. Mr. Steiwer. An act to create the county of



Stockman, and to fix the salaries of county judge, treasurer, stock inspector, and to fix the fees of county clerk and sheriff, and to provide for the collection of taxes and the adjustment of indebtedness with Wasco and Crook counties, and to provide for the transfer of suits and actions to said county.

Senate bill No. 68 was read first time and passed to second reading without question.

Senate bill No. 69. Mr. Vanderburg. An act to amend an act entitled an act to reincorporate the town of Marshfield, Coos county, Oregon, and to repeal an act entitled an act to incorporate the town of Marshfield, approved October 24, 1874; and an act entitled an act to amend an act to incorporate the town of Marshfield, approved October 14, 1876; also an act entitled an act supplemental to an act entitled an act to incorporate the town of Marshfield, approved October 24, 1874, approved October 26, 1880; also an act entitled an act to amend an act to incorporate the town of Marshfield, approved October 24, 1879, approved February 15, 1887, which said act was passed by the senate on February 14, 1889, and by the house of representatives on the 20th day of February, 1889, which last amendatory act was passed by the legislative assembly of the state of Oregon on the——day of February, 1891, and filed in the office of the secretary of state on the 18th day of February, 1891.

Senate bill No. 69 was read first time and passed to second reading without question.

Senate bill No. 70. Mr. Bancroft. An act to provide for the issuance of bonds for the improvement of streets and laying of sewers in incorporated cities, and for the payment of the cost of such improvements and laying of sewers by installment.

Mr. Bancroft moved that the rules be suspended and that senate bill No. 70 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosho, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President —27.

Absent—Messrs. Hirsch, Veatch, and Weatherford—3.

So the rules were suspended and senate bill No. 70 was read first time by title only and passed to second reading without question.

Senate bill No. 71. Mr. Cross. A bill for an act entitled an act to provide for the inspection and measuring of logs in the state of Oregon; for the establishing of logging districts therein; for the appointment of lumber inspectors for the several districts and de-

fining their duties and fixing their compensation; the appointment and duties of deputy inspectors; for making certain acts misdemeanors, and providing penalty therefor.

Senate bill No. 71 was read first time and passed to second reading without question.

Senate bill No. 72. Mr. Dodson. An act to amend section 1 of an act entitled an act "For securing liens for laborers on mining claims and material men, and prescribing the manner of their enforcement."

Senate bill No. 72 was read first time and passed to second reading without question.

Senate bill No. 73. Mr. Maxwell. A bill for an act to provide for an additional term of the circuit court of the state of Oregon in and for Tillamook county.

Senate bill No. 73 was read first time and passed to second reading without question.

Mr. Alley moved that the senate do now adjourn.

The motion was lost.

Senate bill No. 74. Mr. Dodson. An act entitled an act for the relief of Baker county.

Mr. Dodson moved that the rules be suspended and that senate bill No. 74 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—24.

Absent—Messrs. Beckley, Butler, Crosno, Denny, Veatch, and Weatherford—6.

So the rules were suspended and senate bill No. 74 was read first time by title and passed to second reading without question.

There being no objections, Messrs. Crosno, Weatherford, Beckley, Veatch, Butler, and Looney were excused.

Senate bill No. 75. Mr. Willis. A bill for an act relating to clerks of the legislative assembly and of its committees.

Senate bill No. 75 was read first time and passed to second reading without question.

Senate bill No. 76. Mr. Willis. A bill for an act to repeal section 7 of an act entitled "An act providing for the incorporation of churches, and religious, benevolent, literary, and charitable societies," which took effect by operation of the constitution, January 20, 1865.

Senate bill No. 76 was read first time and passed to second reading without question.

Senate bill No. 77. Mr. Willia. A bill for an act to incorporate the Columbia Harbor, and to provide for the construction and improvement of a harbor and channels and waterways therein, for the use of water craft.

Senate bill No. 77 was read first time and passed to second reading without question.

On motion of Mr. Huston, adjourned.

O. P. MILLER,  
Chief clerk.

MONDAY, JANUARY 16, 1893.

AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 16, 1893. }

Senate met pursuant to adjournment at 2 o'clock P. M., Mr. President in the chair.

The roll was called, and all the senators answered to their names.

The senate was opened with prayer by Rev. T. Brown.

Mr. Willis moved that the reading of the journal be dispensed with.

Motion lost.

The journal of yesterday read, corrected, and approved.

By unanimous consent, Mr. Denny introduced senate resolution No. 14.

SENATE RESOLUTION NO. 14.

*Resolved*, That there be and hereby is created a committee on labor, to consist of three members, who shall be appointed by the president of the senate as other standing committees are appointed.

On motion of Mr. Denny, the resolution was adopted.

By unanimous consent, Mr. Bancroft introduced senate concurrent resolution No. 10.

SENATE CONCURRENT RESOLUTION NO. 10.

*Resolved by the Senate, the House concurring*, That a committee of two on the part of the senate and three on the part of the house be appointed by the president of the senate and chairman of the house to visit the Washington state penitentiary at Walla Walla and report as to the cost and working of the jute plant.

On motion of Mr. Bancroft, the resolution was adopted.

By unanimous consent, Mr. Weatherford introduced senate joint resolution No. 3.

SENATE JOINT RESOLUTION NO. 3.

Whereas the congress of the United States, by an act entitled an act to remit and pay to the several states and territories and the District of Columbia, all moneys collected under the direct tax, levied by act of congress, approved August 5, 1861, which aforesaid act was approved March 2, 1861; and whereas under the provisions of said act it is incumbent upon the legislature of the several states and territories to accept the same by resolution; now, therefore,—

*Be it resolved by the Legislative Assembly of the State of Oregon,* That the state of Oregon hereby accepts the sums appropriated to this state under the provisions of said act, together with the trusts in full satisfaction of all claims against the United States on account of the levy and collection of said tax, and that the governor of the state of Oregon be and is hereby authorized to receive said money for the uses and purposes designated by the said act of congress.

On motion of Mr. Weatherford, senate joint resolution No. 3 was referred to the committee on judiciary.

By unanimous consent, Mr. Alley introduced senate resolution No. 15.

SENATE RESOLUTION NO. 15.

*Resolved,* That the chairman of each committee of the senate, standing or special, be authorized to employ a clerk, and that such other clerical aids as may be necessary shall be employed by the committee.

Mr. Alley moved that the resolution be adopted.

Mr. Cross moved to amend by referring the resolution to the special committee on compensation of committee clerks and pages.

The amendment was adopted.

The motion as amended was adopted, and the resolution so referred.

By unanimous consent, Mr. Cogswell introduced senate joint resolution No. 4.

SENATE JOINT RESOLUTION NO. 4.

*Resolved by the Senate, the House concurring,* That the following amendment to the constitution of the state of Oregon be and is hereby proposed: That section 10 of article XI. of the constitution of the state of Oregon be and the same is hereby abrogated, and in lieu thereof section 10 of article XI. shall be as follows:—

## ARTICLE XI.

Section 10. No county, city, town, school district, or other municipal corporation shall be allowed to become indebted in any manner or for any purpose to an amount including present existing indebtedness in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state and county taxes previous to the incurring of such indebtedness.

On motion of Mr. Cogswell, senate joint resolution No. 4 was referred to the committee on judiciary.

The president at this time announced the following senate standing committees:—

## SENATE STANDING COMMITTEES.

*Judiciary*—Denny, Cross, Willis, Weatherford, Butler.  
*Ways and Means*—Hirsch, Gates, Woodard, Blackman, Raley.  
*Elections*—Woodard, Hayes, Huston.  
*Claims*—McGinn, Steiwer, Myers.  
*Corporations*—Cameron, Crosno, Vanderburg.  
*Counties*—Dodson, Looney, Veatch.  
*Military Affairs*—Bancroft, Gates, Butler.  
*Commerce*—Looney, Maxwell, Smith.  
*Education*—Crosno, Willis, Matlock.  
*Engrossed Bills*—McGinn, Dodson, Myers.  
*Enrolled Bills*—Gates, Hirsch, Weatherford.  
*Roads and Highways*—Cross, Looney, Crosno, McAlister, Beckley.  
*Public Lands*—Steiwer, Maxwell, Hayes, Cogswell, Smith.  
*Federal Relations*—Cogswell, Alley, Bancroft.  
*Mining*—Cameron, Woodard, McAlister.  
*Printing*—Maxwell, McGinn, Raley.  
*Railroads*—Hayes, Cameron, Denny, Matlock, Cogswell.  
*Agriculture*—Vanderburg, Cameron, Alley.  
*Assessments*—Willis, Steiwer, Dodson, Raley, Huston.  
*Fishing Industries*—Alley, Hirsch, Cross, Blackman, Veatch.  
*Public Buildings*—Looney, Bancroft, Beckley.  
*Labor*—Denny, Steiwer, Vanderburg.

The following communication from the secretary of state was read:—

## COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE, }  
 SALEM, Oregon, }  
 January 16, 1893. }

To the Honorable the Senate of the Legislative Assembly of the State of Oregon—GENTLEMEN: I have the honor to inform you that in

compliance with senate joint resolution No. 1, I have ordered ninety sets of "Hill's annotated laws of Oregon," of the edition of 1891, and have received thirty-five sets. I am informed that the remaining fifty-five sets will reach Salem by Monday, the 23d inst. Inasmuch as I was requested to secure a sufficient number of sets for the use of both houses of the legislative assembly, I respectfully ask for instructions from the legislative assembly respecting the present disposition of the thirty-five sets now in my custody.

I have the honor to be, very respectfully,

Your obedient servant,

GEO. W. McBRIDE,  
Secretary of state.

By unanimous consent, Mr. Huston introduced senate concurrent resolution No. 11.

#### SENATE CONCURRENT RESOLUTION NO. 11.

*Resolved by the Senate, the House concurring,* That the secretary of state is hereby requested to furnish twelve copies of Hill's Code out of the thirty-five copies now on hand, and to furnish the remainder to the house.

On motion of Mr. Huston, the resolution was adopted.

By unanimous consent, Mr. Huston introduced senate joint resolution No. 5.

#### SENATE JOINT RESOLUTION NO. 5.

*Resolved by the Senate, the House concurring,* That the president of the United States be and he is hereby requested not to withdraw any lands from settlement until after the adjournment of this legislature; that the secretary of state is hereby authorized to telegraph a copy of this resolution to the president of the United States.

Mr. Huston moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Weatherford, Woodard — 24.

Nays — Mr. Willis and Mr. President — 2.

Absent — Messrs. Myers and Veatch — 2.

Not voting — Messrs. Cogswell and Denny — 2.

So senate joint resolution No. 5 was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 12, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 13, appointing committee from both houses to consider a plan for the acquisition of locks on the Willamette river at Oregon City, etc., and giving power to employ clerical aid.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 13.

*Resolved by the House, the Senate concurring,* That a committee from the house and two from the senate be appointed to consider a plan for the acquisition by the state of Oregon of the locks on the Willamette river at Oregon City, and that the same committee shall also consider the use now being made and proposed of the waters of the Willamette river at the falls at Oregon City for manufacturing and industrial purposes, and report upon the matters herein to this legislature; that the said committee shall have power to employ necessary clerical assistance.

On motion of Mr. Weatherford, the senate concurred in the adoption of house concurrent resolution No. 13.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 12, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 3 as amended, providing for amendment of section 2 of article II. of the constitution of the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.



## HOUSE JOINT RESOLUTION NO. 3.

Proposing an amendment to the constitution of the state of Oregon.

*Resolved by the House, the Senate concurring,* That the following amendment to the constitution of the state of Oregon be and is hereby proposed: That section 2 of article II. be amended so as to read as follows:—

Section 2. In all elections not otherwise provided for by this constitution, every male citizen of the United States, of the age of twenty-one years and upwards, who shall have resided in the state during the six months immediately preceding such election, and every male of foreign birth, of the age of twenty-one years and upwards, who shall have resided in this state during the six months immediately preceding such election, and shall have declared his intention to become a citizen of the United States three years preceding such election conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote at all elections authorized by law; but registration laws may be enacted by the legislative assembly.

Amendment by Mr. Northup. To strike out the words, "And every white male of foreign birth, of the age of twenty-one years and upwards, who shall have resided in this State during the six months immediately preceding such election, and shall have declared his intention to become a citizen of the United States one year preceding such election conformably to the laws of the United States on the subject of naturalization."

Mr. Woodard moved that house joint resolution No. 3 be referred to the committee on elections.

Mr. Cogswell moved to refer house joint resolution No. 3 to the committee on judiciary.

Lost.

The motion to refer to the committee on elections prevailed, and the resolution was so referred.

On motion of Mr. Weatherford, house joint resolution No. 3 was ordered printed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 12, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has appointed the following committees:



Under house concurrent resolution No. 3, to visit the jetty, etc., Messrs. Durham, Nichols, Elmore.

Under house concurrent resolution No. 4, to visit state university, etc., Messrs. Lamson, Brown of Douglas, King.

Under house concurrent resolution No. 12, to visit orphans' home, etc., Messrs. Myers, Russell, Miller.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 12, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 9, requesting Captain T. W. Symons, United States engineer, to set forth facts concerning improvement of Siuslaw river and harbor in his next annual report to government, and instructing chief clerk of senate to transmit copies of resolution, etc.

And the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 12, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 8, appointing committee of both houses to examine books of military board.

And the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 12, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 4, proposing an amendment to the constitution of the state of Oregon providing that general elections shall be held on first Tuesday after first Monday in November biennially.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### HOUSE JOINT RESOLUTION NO. 4.

*Resolved by the House, the Senate concurring,* That the following amendment to the constitution of the state of Oregon be and is hereby proposed: That section 14 of article II. of the constitution of the state of Oregon be and the same is hereby abrogated, and in lieu thereof section 14 of article II. of the constitution of the state of Oregon shall be as follows:—

Section 14. General elections shall be held on the Tuesday next after the first Monday in November biennially.

On motion of Mr. Cross, house joint resolution No. 4 was referred to the committee on elections.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 12, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 15, appointing committee from both houses to be known as capitol improvement committee, for improving acoustics of the hall of house of representatives.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 15.

*Resolved by the House, the Senate concurring,* That there be appointed by Mr. Speaker a committee of three on the part of the house, to be known the capitol improvement committee, to act in concert with a committee of two on the part of the senate; said committee to be particularly concerned with such measures as look to the improvement of acoustical conditions affecting the hall of the house of representatives.

On motion of Mr. Cross, house concurrent resolution No. 15 was referred to the committee on judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 12, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 2, asking that congress pass the anti-option bill now pending.

And the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

HOUSE JOINT MEMORIAL NO. 2.

*Memorial to Congress of the United States of America:* Inasmuch as a form of gambling in the United States of America known as dealing in futures has and does now injure the producers of this country, inasmuch as the capital of the country is to a large extent employed in this form of gambling, and inasmuch as the members of the exchanges are engaged in artificially enhancing and in turn depressing the price of farm products, thus unsettling values and preventing legitimate buying and selling to a large extent; and the legislative assembly of the state of Oregon do ask that your honorable body pass the bill now before your body known as the anti-option bill, to be the law of these United States of America.

On motion of Mr. Cogswell, house joint memorial No. 2 was referred to the committee on fishing industries.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January —, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 3, asking congress for an appropriation of five hundred thousand dollars for improvement of public post roads to be disbursed under supervision of war department.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

HOUSE JOINT MEMORIAL NO. 3.

*Resolved by the House, the Senate concurring,* Whereas the congress of the United States annually appropriate large sums of money for

the improvement of the rivers and harbors of the several states of the United States and expends the same mostly on the seaboard in the several states in such a manner that but little if any benefit accrues to the inland commerce of the several states; and whereas there is a vast inland empire in Oregon not touched by the seaboard; and whereas the public post roads of this state are in urgent need of extensive and substantial repairs which the people are unable to meet without oppressive taxation; and whereas there are vast tracts of land not reached by any public post road which are so environed by mountains as to preclude the speedy settlement thereof for want of proper post roads leading thereto; therefore

*Resolved*, That the people of the state of Oregon demand of their representatives in congress that they use every honorable means in their power to secure an annual appropriation of five hundred thousand dollars for the state of Oregon to be expended under the direction of the war department on the public post roads of this state and in the establishment of other necessary public post roads therein.

On motion of Mr. Hirsch, house joint memorial No. 3 was referred to the committee on federal relations.

Senate bill No. 78. Mr. Gates: A bill for an act to enable women to hold educational offices within the state of Oregon.

Senate bill No. 78 was read first time and passed to second reading without question.

Senate bill No. 79. Mr. McGinn. A bill for an act to amend an act entitled "An act to incorporate the city of Portland," filed in the office of the secretary of state, February 19, 1891.

Senate bill No. 79 was read first time and passed to second reading without question.

Senate bill No. 80. Mr. Blackman. A bill for an act to amend section 743 of an act of the legislative assembly of the state of Oregon entitled an act to provide a code of civil procedure, approved October 11, 1862, being section 753 of Hill's annotated laws of Oregon.

Senate bill No. 80 was read first time and passed to second reading without question.

Senate bill No. 81. Mr. Dodson. A bill for an act to establish a state board of health for the better protection of life and health, and to define the duties thereof, and to prevent the spread of contagious and infectious diseases in the state of Oregon.

Mr. Dodson moved that the rules be suspended and that senate bill No. 81 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President — 27.

Absent—Messrs. Crosno, Myers, and Raley — 3.

So the rules were suspended and senate bill No. 81 was read first time by title only and passed to second reading without question.

Senate bill No. 82. Mr. Woodard. A bill for an act to amend section 3224 of Hill's annotated laws of Oregon.

Senate bill No. 82 was read first time and passed to second reading without question.

Senate bill No. 83. Mr. Alley. A bill for an act to amend an act entitled "An act to amend an act entitled 'An act to incorporate the city of Eugene, and to repeal all acts and parts of acts in conflict herewith,' approved February 20, 1889; and to incorporate the city of Eugene, define its powers, and to repeal all acts and parts of acts in conflict herewith," filed in the office of the secretary of state, February 18, 1891; and to incorporate the city of Eugene, define its powers, and to repeal all acts and parts of acts in conflict herewith.

Senate bill No. 83 was read first time and passed to second reading without question.

Senate bill No. 84. Mr. Weatherford. A bill for an act entitled an act to extend and regulate the liability of railroad companies to make compensation for personal injuries suffered by employes in their service.

Senate bill No. 84 was read first time and passed to second reading without question.

Senate bill No. 85. Mr. Butler. A bill for an act to provide for an additional circuit judge for the third judicial district in the state of Oregon.

Senate bill No. 85 was read first time and passed to second reading without question.

Senate bill No. 86. Mr. Gates. A bill for an act to provide for the protection of game, fish, and wild fowl, and to amend sections 1930 and 1932 of the general laws of Oregon, as found in the second edition of the code thereof, compiled and annotated by William Lair Hill, and to amend section 1 of an act entitled "An act to protect the ring-necked Mongolian pheasant, quail or bob-white, prairie chicken and pheasant in that part of the state of Oregon east of the Cascade mountains," approved February 21, 1891.

Senate bill No. 86 was read the first time.

Mr. Gates moved that the rules be suspended and that senate bill No. 86 be read second time now by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—23.

Nays—Messrs. Beckley and Veatch—2.

Absent—Messrs. Cogswell, Crosno, Myers, Raley, and Weatherford—5.

So the rules were suspended and senate bill No. 86 was read second time by title only.

On motion of Mr. Gates, the bill was referred to the committee on fishing industries.

Senate bill No. 87. Mr. Bancroft. A bill for an act to secure independence of voters at town meetings and city elections, secrecy of the ballot, and provide for the use of Myers' automatic ballot cabinet.

Senate bill No. 87 was read first time and passed to second reading without question.

Senate bill No. 88. Mr. Cross. A bill for an act to incorporate Canby in Clackamas county, Oregon.

Mr. Cross moved that the rules be suspended and that senate bill No. 88 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Cross, Denny, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—24.

Absent—Messrs. Butler, Crosno, Dodson, Gates, Maxwell, and Raley—6.

So the rules were suspended and senate bill No. 88 was read first time by title only and passed to second reading without question.

Senate bill No. 89. Mr. Woodard (by request). A bill for an act to prevent cruelty to animals.

Senate bill No. 89 was read first time and passed to second reading without question.

Senate bill No. 90. Mr. Steiwer. A bill for an act to amend section 1 of an act entitled an act for the selection and sale of state lands remaining unsold, approved February 21, 1887, the same being section 3617 of Hill's annotated laws of Oregon, of the edition of 1887.

Senate bill No. 90 was read first time and passed to second reading without question.

Senate bill No. 91. Mr. Cogswell. A bill for an act to amend section 292 of the code of civil procedure, relating to issuing execution on dormant judgments.

Senate bill No. 91 was read first time and passed to second reading without question.

Senate bill No. 92. Mr. Vanderburg (by request). A bill for an act to tax all incomes exceeding the sum of one thousand dollars.

Senate bill No. 92 was read first time and passed to second reading without question.

Senate bill No. 93. Mr. Raley. A bill for an act entitled an act to amend an act entitled an act to incorporate the city of Athena, in Umatilla county, state of Oregon, and to define the powers thereof, and to repeal an act entitled an act to incorporate the city of Athena, in Umatilla county, Oregon, and to define the powers thereof, filed in the office of the secretary of state, February 20, 1889.

Mr. Raley moved that the rules be suspended and that senate bill No. 93 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—26.

Absent—Messrs. Crosno, Gates, Maxwell, and Weatherford—4.

So the rules were suspended and senate bill No. 93 was read first time by title only and passed to second reading without question.

Senate bill No. 94. Mr. Alley. A bill for an act to amend sections 54 [53] and 2061 [9] of the general laws of the state of Oregon, as compiled and annotated by W. Lair Hill.

Senate bill No. 94 was read first time and passed to second reading without question.

Senate bill No. 95. Mr. Alley. A bill for an act to amend section 962 [931] of the general laws of the state of Oregon as compiled and annotated by W. Lair Hill.

Senate bill No. 95 was read first time and passed to second reading without question.

Senate bill No. 96. Mr. Raley. A bill for an act to amend an act providing for the establishment of a state normal school at Weston, approved October 26, 1882.

Mr. Raley moved that the rules be suspended and that senate bill No. 96 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:



Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—26.

Absent—Messrs. Crosno, Dodson, Gates, and Maxwell—4.

So the rules were suspended and senate bill No. 96 was read first time by title only and passed to second reading without question.

Senate bill No. 97. Mr. Hirsch. A bill for an act to amend section 3617 of chapter LII. of Hill's annotated laws of Oregon.

Senate bill No. 97 was read the first time.

Mr. Hirsch moved that the rules be suspended and that senate bill No. 97 be read second time now by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Hayes, Hirsch, Looney, Matlock, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—23.

Nays—Messrs. Beckley and Veatch—2.

Absent—Messrs. Crosno, Dodson, Gates, and Maxwell—4.

Not voting—Mr. Huston—1.

So the rules were suspended and senate bill No. 97 was read second time by title only.

On motion of Mr. Hirsch, the bill was referred to the committee on education.

Senate bill No. 2 coming on for second reading, was read second time.

On motion of Mr. Blackman, the bill was referred to the committee on counties.

Senate bill No. 3 coming on for second reading, Mr. Myers moved that the rules be suspended and that senate bill No. 3 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Huston, Looney, Matlock, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—25.

Absent—Messrs. Gates, Hirsch, Maxwell, Raley, and Veatch—5.

So the rules were suspended and senate bill No. 3 was read second time by title only.

On motion of Mr. Myers, the bill was referred to the committee on roads and highways.

Senate bill No. 4 coming on for second reading, was read second time.



On motion of Mr. Alley, the bill was referred to the committee on railroads.

Senate bill No. 5 coming on for second reading, was read second time.

On motion of Mr. Cogswell, the bill was referred to the committee on agriculture.

Senate bill No. 6 coming on for second reading, was read second time.

On motion of Mr. McGinn, the bill was referred to a special committee of senators from Multnomah county, with leave to report at any time.

Senate bill No. 7 coming on for second reading, was read second time.

On motion of Mr. Steiwer, the bill was referred to the committee on agriculture.

Senate bill No. 9 coming on for second reading, was read second time.

On motion of Mr. Cogswell, the bill was referred to the committee on judiciary.

Senate bill No. 10 coming on for second reading, was read second time.

On motion of Mr. McGinn, the bill was referred to a special committee of senators from Multnomah county, with leave to report at any time.

Senate bill No. 11 coming on for second reading, was read second time.

On motion of Mr. McGinn, the bill was referred to a special committee consisting of the senators from Multnomah county.

Senate bill No. 12 coming on for second reading, was read second time.

On motion of Mr. Myers, the bill was referred to the committee on labor.

Senate bill No. 13 coming on for second reading, was read second time.

On motion of Mr. Willis, the bill was referred to the committee on assessments.

On motion of Mr. Cross, senate bill No. 14 was referred to the committee on judiciary.

On motion of Mr. Hirsch, the courtesies of the senate were extended to Hon. B. F. Bonham, and he was invited to a seat within the bar of the senate.

Senate bill No. 15 coming on for second reading, was read second time.

On motion of Mr. Denny, the bill was referred to the committee on judiciary.

Senate bill No. 16 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on assessment.

Senate bill No. 17 coming on for second reading, was read second time.

On motion of Mr. Looney, the bill was referred to the committee on judiciary.

Senate bill No. 18 coming on for second reading, was read second time.

On motion of Mr. McGinn, the bill was referred to the committee on judiciary.

Senate bill No. 19 coming on for second reading, was read second time.

On motion of Mr. McGinn, the bill was referred to the committee on judiciary.

Senate bill No. 20 coming on for second reading, was read second time.

On motion of Mr. McGinn, the bill was referred to the committee on judiciary.

Senate bill No. 22 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on railroads.

Senate bill No. 23 coming on for second reading, was read second time.

On motion of Mr. Myers, the bill was referred to the committee on judiciary.

Senate bill No. 24 coming on for second reading, was read second time.

On motion of Mr. Myers, the bill was referred to the committee on elections.

Senate bill No. 25 coming on for second reading, was read second time.

Mr. Cross moved to suspend the rules and consider senate bill No. 25 engrossed and ordered to a third reading to-morrow.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—Messrs. Bancroft and McGinn—2.

Absent—Messrs. Hirsch and Veatch—2.

Not voting—Mr. Vanderburg—1.

So the rules were suspended and senate bill No. 25 was considered engrossed and ordered to third reading tomorrow.

On motion of Mr. Hirsch, the senate adjourned.

O. P. MILLER,  
Chief clerk.

TUESDAY, JANUARY 17, 1893.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 17, 1893. }

The senate was called to order by the president at 10 o'clock A. M.

The roll was called, and all the senators were present.

The journal of yesterday was read and approved.

On motion of Mr. Huston, the courtesies of the senate were extended to Hon. W. N. Barrett, and he was invited to a seat within the bar of the senate.

On motion of Mr. Raley, the courtesies of the senate were extended to Hon. John P. Wager, and he was invited to a seat within the bar of the senate.

On motion of Mr. McGinn, the courtesies of the senate were extended to Rev. Mr. Brown of Portland, and he was invited to a seat within the bar of the senate.

By unanimous consent, Mr. Steiwer introduced senate resolution No. 16.

SENATE RESOLUTION NO. 16.

*Resolved*, That the president of the senate be hereby empowered to appoint a special committee consisting of three members, which committee shall sit during the present session of the legislature, to be known as a committee on internal improvements, to which shall be referred all bills pertaining to the improvement of the Columbia river.

On motion of Mr. Steiwer, the resolution was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon,  
January —, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has amended senate concurrent resolution No. 11, relative to the thirty-

five copies of code mentioned in communication of secretary of state, by adding the words "to the senate" after the words "twelve copies," and adopted the same as amended.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. Huston, the senate concurred in the house amendment.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 10, appointing committee of both houses to visit Washington state penitentiary at Walla Walla, and investigate jute manufacturing plant, etc.

And the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has refused to concur in senate joint resolution No. 5, requesting the president to refrain from withdrawing any lands from settlement until after the adjournment of this legislature, etc.

And the same is herewith returned to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. Blackman, the vote by which senate bill No. 2 was referred to the committee on counties was reconsidered.

On motion of Mr. Blackman, senate bill No. 2 was referred to the committee on claims.

The following communications from the honorable secretary of state were read:—

## COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE, }  
 SALEM, Oregon, }  
 January 16, 1893. }

*To the Honorable the Senate of the Legislative Assembly of the State of Oregon:* I have the honor herewith to deliver to the senate, in compliance with senate resolution No. 13, a certified transcript of the emolument returns of the sheriffs, clerks, and district attorneys of the several counties of this state for the four years ending January 1, 1893.

I have the honor to be, very respectfully,  
 Your obedient servant,

GEO. W. McBRIDE,  
 Secretary of state.

On motion of Mr. Weatherford, the communication was referred to the committee on judiciary.

## EMOLUMENT RETURNS.

## DISTRICT ATTORNEYS.

<i>Date.</i>	<i>District.</i>	<i>Returns.</i>
1889.		
June 30	First district.....	\$ 969 80
Dec. 31	First district.....	1,140 80
1890.		
June 30	First district.....	843 50
Dec. 31	First district.....	1,043 20
1891.		
June 30	First district.....	861 08
Dec. 31	First district.....	761 88
1892.		
June 30	First district.....	629 50
Dec. 31	First district.....	No report
1890.		
June 30	Second district.....	927 00
Dec. 31	Second district.....	1,121 50
1890.		
June 30	Second district.....	896 50
Dec. 31	Second district.....	1,264 85
1891.		
June 30	Second district.....	1,782 50
Dec. 31	Second district.....	No report
1892.		
June 30	Second district.....	No report
Dec. 31	Second district.....	No report
1889.		
June 30	Third district.....	1,281 50
Dec. 31	Third district.....	1,313 60
1890.		
June 30	Third district.....	915 00
Dec. 31	Third district.....	1,447 80
1891.		
June 30	Third district.....	1,836 68
Dec. 31	Third district.....	2,181 08
1892.		
June 30	Third district.....	2,409 04
Dec. 31	Third district.....	No report

## EMOLUMENT RETURNS—CONTINUED.

## DISTRICT ATTORNEYS.

<i>Date.</i>	<i>District.</i>	<i>Returns.</i>	
1889.			
June 30	Fourth district	\$	2,151 50
Dec. 31	Fourth district		1,500 00
1890.			
June 30	Fourth district		3,350 00
Dec. 31	Fourth district		1,856 79
1891.			
June 30	Fourth district		2,965 89
Dec. 31	Fourth district		2,720 40
1892.			
June 30	Fourth district		5,210 50
Dec. 31	Fourth district	No report	
1889.			
June 30	Fifth district	No report	
Dec. 31	Fifth district		1,405 00
1890.			
June 30	Fifth district		1,375 00
Dec. 31	Fifth district	No report	
1891.			
June 30	Fifth district	No report	
Dec. 31	Fifth district	No report	
1892.			
June 30	Fifth district	No report	
Dec. 31	Fifth district	No report	
1889.			
June 30	Sixth district	No report	
Dec. 31	Sixth district	No report	
1890.			
June 30	Sixth district	No report	
Dec. 31	Sixth district		1,351 50
1891.			
June 30	Sixth district		2,053 25
Dec. 31	Sixth district		2,548 25
1892.			
June 30	Sixth district	No report	
Dec. 31	Sixth district	No report	
1889.			
June 30	Seventh district		1,091 00
Dec. 31	Seventh district		772 00
1890.			
June 30	Seventh district		463 50
Dec. 31	Seventh district		1,300 30
1891.			
June 30	Seventh district		1,437 50
Dec. 31	Seventh district		1,397 50
1892.			
June 30	Seventh district		1,110 00
Dec. 31	Seventh district	No report	

## SHERIFFS AND CLERKS.

<i>Date.</i>	<i>County.</i>	<i>Returns.</i>	
		<i>Sheriffs.</i>	<i>Clerks.</i>
1889.			
June 30	Wasco	\$ 969 60	No report
Dec. 31	Wasco	No report	No report
1890.			
June 30	Wasco	No report	No report
Dec. 31	Wasco	798 61	\$ 2,405 76
1891.			
June 30	Wasco	805 02	2,475 53
Dec. 31	Wasco	740 77	2,668 40

## EMOLUMENT RETURNS—CONTINUED.

## SHERIFFS AND CLERKS.

Date.	County.	Returns.	
		Sheriffs.	Clerks.
1892. June 30	Wasco.....	No report	\$ 1,792 61
1889. June 30	Washington.....	\$ 764 22	1,238 05
Dec. 31	Washington.....	No report	No report
1890. June 30	Washington.....	883 05	No report
Dec. 31	Washington.....	547 35	No report
1891. June 30	Washington.....	No report	No report
Dec. 31	Washington.....	No report	No report
1892. June 30	Washington.....	No report	No report
1889. June 30	Yamhill.....	1,725 50	1,255 55
Dec. 31	Yamhill.....	725 70	1,293 20
1890. June 30	Yamhill.....	2,180 13	1,548 30
Dec. 31	Yamhill.....	785 70	2,092 25
1891. June 30	Yamhill.....	1,677 38	1,289 95
Dec. 31	Yamhill.....	858 90	1,839 85
1892. June 30	Yamhill.....	1,834 75	No report
1889. June 30	Tillamook.....	536 95	1,676 24
Dec. 31	Tillamook.....	No report	3,006 55
1890. June 30	Tillamook.....	No report	1,629 72
Dec. 31	Tillamook.....	426 93	666 27
1891. June 30	Tillamook.....	1,238 69	1,535 41
Dec. 31	Tillamook.....	906 26	2,434 56
1892. June 30	Tillamook.....	1,385 28	1,748 95
1889. June 30	Umatilla.....	2,135 08	2,014 27
Dec. 31	Umatilla.....	1,421 61	3,087 38
1890. June 30	Umatilla.....	2,032 24	4,363 20
Dec. 31	Umatilla.....	No report	2,892 47
1891. June 30	Umatilla.....	No report	No report
Dec. 31	Umatilla.....	No report	No report
1892. June 30	Umatilla.....	No report	No report
1889. June 30	Union.....	535 76	3,249 88
Dec. 31	Union.....	785 84	No report
1890. June 30	Union.....	1,228 68	No report
Dec. 31	Union.....	2,744 31	3,060 81
1891. June 30	Union.....	2,517 41	4,555 32
Dec. 31	Union.....	1,643 29	4,269 69
1892. June 30	Union.....	1,826 66	3,784 24
1889. June 30	Wallowa.....	717 88	1,023 00
Dec. 31	Wallowa.....	758 67	1,092 53
1890. June 30	Wallowa.....	577 49	992 00
Dec. 31	Wallowa.....	365 06	1,025 00
1891. June 30	Wallowa.....	528 20	1,529 60
Dec. 31	Wallowa.....	262 71	1,000 00

## EMOLUMENT RETURNS—CONTINUED.

## SHERIFFS AND CLERKS.

Date.	County.	Returns.	
		Sheriffs.	Clerks.
1892. June 30	Wallowa.....	\$ 460 38	\$ 1,279 80
1889. June 30	Morrow.....	1,262 33	1,688 26
Dec. 31	Morrow.....	1,141 14	1,197 20
1890. June 30	Morrow.....	1,168 13	1,109 21
Dec. 31	Morrow.....	948 35	1,687 91
1891. June 30	Morrow.....	1,129 13	1,623 30
Dec. 31	Morrow.....	664 46	1,650 28
1892. June 30	Morrow.....	1,062 87	1,407 03
1889. June 30	Multnomah.....	11,043 54	No report
Dec. 31	Multnomah.....	4,919 56	No report
1890. June 30	Multnomah.....	10,002 96	No report
Dec. 31	Multnomah.....	No report	No report
1891. June 30	Multnomah.....	No report	No report
Dec. 31	Multnomah.....	No report	No report
1892. June 30	Multnomah.....	No report	No report
1889. June 30	Polk.....	1,027 70	1,809 80
Dec. 31	Polk.....	1,187 00	1,876 45
1890. June 30	Polk.....	1,698 00	1,288 55
Dec. 31	Polk.....	492 30	1,118 00
1891. June 30	Polk.....	1,386 40	1,197 50
Dec. 31	Polk.....	1,000 59	1,264 60
1892. June 30	Polk.....	No report	No report
1889. June 30	Sherman.....	181 39	246 77
Dec. 31	Sherman.....	335 59	729 08
1890. June 30	Sherman.....	615 74	510 62
Dec. 31	Sherman.....	1,189 34	506 85
1891. June 30	Sherman.....	603 70	407 74
Dec. 31	Sherman.....	841 85	818 82
1892. June 30	Sherman.....	891 83	1,147 85
1889. June 30	Lane.....	1,367 00	2,211 00
Dec. 31	Lane.....	457 85	1,920 00
1890. June 30	Lane.....	1,949 40	2,490 00
Dec. 31	Lane.....	1,291 95	1,991 20
1891. June 30	Lane.....	2,201 98	2,750 90
Dec. 31	Lane.....	No report	2,932 02
1892. June 30	Lane.....	No report	3,005 00
1889. June 30	Linn.....	1,825 97	No report
Dec. 31	Linn.....	968 96	2,130 85
1890. June 30	Linn.....	2,439 96	No report
Dec. 31	Linn.....	545 68	2,652 08
1891. June 30	Linn.....	1,830 00	No report
Dec. 31	Linn.....	1,228 84	No report



## EMOLUMENT RETURNS—CONTINUED.

## SHERIFFS AND CLERKS.

Date.	County.	Returns.	
		Sheriffs.	Clerks.
1892.			
June 30	Linn.....	\$ 3,288 08	\$ 2,697 91
1889.			
June 30	Malheur.....	1,289 33	1,127 54
Dec. 31	Malheur.....	27 37	928 91
1890.			
June 30	Malheur.....	798 27	778 72
Dec. 31	Malheur.....	213 48	837 52
1891.			
June 30	Malheur.....	752 58	984 53
Dec. 31	Malheur.....	665 08	900 42
1892.			
June 30	Malheur.....	1,096 09	820 47
1889.			
June 30	Marion.....	2,879 99	2,068 76
Dec. 31	Marion.....	1,880 90	1,444 29
1890.			
June 30	Marion.....	3,104 60	2,003 21
Dec. 31	Marion.....	1,607 27	1,765 18
1891.			
June 30	Marion.....	3,492 94	1,723 39
Dec. 31	Marion.....	1,641 51	No report
1892.			
June 30	Marion.....	3,599 54	No report
1889.			
June 30	Jackson.....	1,548 74	2,435 60
Dec. 31	Jackson.....	1,876 56	2,584 68
1890.			
June 30	Jackson.....	2,159 68	3,829 00
Dec. 31	Jackson.....	1,939 34	1,776 00
1891.			
June 30	Jackson.....	2,912 62	2,124 37
Dec. 31	Jackson.....	2,460 38	1,307 04
1892.			
June 30	Jackson.....	3,068 28	1,638 52
1889.			
June 30	Josephine.....	763 44	1,146 22
Dec. 31	Josephine.....	434 28	1,245 50
1890.			
June 30	Josephine.....	805 78	1,280 65
Dec. 31	Josephine.....	No report	1,010 00
1891.			
June 30	Josephine.....	No report	1,256 10
Dec. 31	Josephine.....	No report	1,040 35
1892.			
June 30	Josephine.....	1,127 37	1,296 00
1889.			
June 30	Klamath.....	1,081 00	1,496 48
Dec. 31	Klamath.....	1,862 45	1,794 10
1890.			
June 30	Klamath.....	864 37	1,371 29
Dec. 31	Klamath.....	882 79	1,749 97
1891.			
June 30	Klamath.....	1,074 14	No report
Dec. 31	Klamath.....	354 22	No report
1892.			
June 30	Klamath.....	893 15	No report
1889.			
June 30	Lake.....	668 50	1,869 16
Dec. 31	Lake.....	560 00	1,984 04
1890.			
June 30	Lake.....	No report	1,033 14
Dec. 31	Lake.....	665 16	926 09
1891.			
June 30	Lake.....	269 65	656 61
Dec. 31	Lake.....	858 00	945 00

# SENATE.

CONTINUED.

	Shorts.	Clocks.
	\$ 770 80	\$ 1,124 00
	1,073 85	1,073 11
	1,087 96	1,087 26
	1,194 94	1,426 65
	1,084 28	1,073 00
	1,070 80	1,362 00
	1,080 19	1,087 00
	2,261 00	1,727 06
	1,126 01	1,300 00
	680 06	1,012 70
	1,116 21	611 44
	680 61	1,170 21
	1,080 14	1,000 14
	640 06	1,200 00
	641 23	1,000 25
	573 80	1,007 04
	707 32	1,100 00
	180 06	2,110 20
	670 07	1,007 17
	1,080 00	2,204 97
	1,200 00	2,070 16
	1,200 00	1,011 04
	700 17	000 00
	670 26	000 00
	No report	400 44
	700 00	701 00
	457 70	No report
	000 00	1,002 70
	No report	No report
	477 26	700 00
	640 00	900 00
	640 00	1,000 00
	640 00	1,107 00
	000 00	1,475 42
	001 00	1,200 00
	No report	1,042 00
	1,101 00	1,000 00
	001 74	2,000 00
	1,100 40	2,171 00
	000 00	2,100 00
	1,004 00	1,001 00
	000 70	1,041 00

## EMOLUMENT RETURNS—CONTINUED.

## SHERIFFS AND CLERKS.

Date.	County.	Returns.	
		Sheriffs.	Clerks.
1892.			
June 30	Coos.....	\$ 1,978 80	\$ 3,386 55
1889.			
June 30	Curry.....	464 52	485 45
Dec. 31	Curry.....	548 66	741 90
1890.			
June 30	Curry.....	691 46	491 65
Dec. 31	Curry.....	594 88	748 00
1891.			
June 30	Curry.....	538 21	616 00
Dec. 31	Curry.....	643 87	799 30
1892.			
June 30	Curry.....	No report	704 10
1889.			
June 30	Crook.....	580 00	935 00
Dec. 31	Crook.....	353 00	994 00
1890.			
June 30	Crook.....	331 00	1,115 00
Dec. 31	Crook.....	1,299 01	1,125 00
1891.			
June 30	Crook.....	1,138 20	1,030 00
Dec. 31	Crook.....	856 52	1,334 03
1892.			
June 30	Crook.....	644 85	1,511 13
1889.			
June 30	Baker.....	1,700 15	2,670 00
Dec. 31	Baker.....	1,315 53	2,620 00
1890.			
June 30	Baker.....	1,592 46	No report
Dec. 31	Baker.....	1,186 05	2,145 52
1891.			
June 30	Baker.....	1,447 35	3,900 06
Dec. 31	Baker.....	1,883 75	3,609 01
1892.			
June 30	Baker.....	1,184 69	3,079 40
1889.			
June 30	Benton.....	2,170 74	1,196 95
Dec. 31	Benton.....	No report	729 87
1890.			
June 30	Benton.....	2,160 14	890 49
Dec. 31	Benton.....	486 65	1,191 31
1891.			
June 30	Benton.....	1,685 72	1,225 87
Dec. 31	Benton.....	506 65	1,046 40
1892.			
June 30	Benton.....	1,906 85	1,406 60
1889.			
June 30	Clackamas.....	No report	No report
Dec. 31	Clackamas.....	No report	No report
1890.			
June 30	Clackamas.....	No report	No report
Dec. 31	Clackamas.....	No report	No report
1891.			
June 30	Clackamas.....	No report	No report
Dec. 31	Clackamas.....	No report	No report
1892.			
June 30	Clackamas.....	No report	No report
Dec. 31	Clackamas.....	No report	No report
1889.			
June 30	Clatsop.....	1,694 81	1,442 40
Dec. 31	Clatsop.....	507 21	2,371 30
1890.			
June 30	Clatsop.....	1,977 54	2,159 90
Dec. 31	Clatsop.....	435 29	1,422 12

## EMOLUMENT RETURNS—CONCLUDED.

## SHERIFFS AND CLERKS.

Date.	County.	Returns.	
		Sheriffs.	Clerks.
1891. June 30	Clatsop-----	No report	\$ 1,955 00
Dec. 31	Clatsop-----	No report	2,480 80
1892. June 30	Clatsop-----	No report	8,379 00

UNITED STATES OF AMERICA, STATE OF OREGON, }  
 OFFICE OF THE SECRETARY OF STATE, }  
 SALEM, Oregon, January 16, 1893. }

I, Geo. W. McBride, do hereby certify that I am the secretary of state of the state of Oregon, and custodian of the seal of said state; that the foregoing transcript of the emolument returns of the sheriffs, clerks, and district attorneys of the several counties of the state of Oregon for years therein named, has been by me compared with the original of the said emolument returns now on file in this office, and that it is a true and correct transcript thereof of said emolument returns.

[THE SEAL  
 OF THE  
 STATE OF  
 OREGON.]

In testimony whereof, I have hereunto set my hand  
 and affixed hereto the seal of the state of Oregon.  
 Done at the capitol, at Salem, Oregon, sixteenth day  
 January, A. D. 1893.

GEO. W. McBRIDE,  
 Secretary of State.

## COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE, }  
 SALEM, Oregon, }  
 January —, 1893. }

*To the Honorable the Senate of the Legislative Assembly of the State of Oregon:* I have the honor herewith to return to the senate, senate bill No. 134 of the sixteenth biennial session of the legislative assembly, which was filed in this office, February 21, 1891, together with the objections of the governor thereto.

I have the honor to be, very respectfully,  
 Your obedient servant,

GEO. W. McBRIDE,  
 Secretary of State.

## MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE OFFICE, }  
 SALEM, Oregon, }  
 February 21, 1891. }

*To the Honorable the Senate of the State of Oregon:* I herewith return senate bill No. 134 with my disapproval. This bill creates two new agricultural societies, and appropriates to one the sum of \$1,500, and to the other the sum of \$3,000 annually. This is an appropriation of money raised by a general tax for a local purpose, and for a purpose entirely foreign to that for which the taxing power was conferred upon the government by the people. I veto the bill.

SYLVESTER PENNOYER,  
 Governor.

Senate bill No. 134 was read.

On motion of Mr. Cogswell, senate bill No. 134 was laid on the table.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 17, appointing special committee from both houses to meet with like committee appointed by the legislature of the state of Washington, to look after the fishing industries on the Columbia river, etc., and directing the clerk to notify the legislature of Washington of this action.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 17.

*Resolved by the House, the Senate concurring,* That a special committee of three from the house and two from the senate be appointed to meet with a like committee appointed by the legislature of the state of Washington, to look after the fishing industry on the Columbia river, and regulate the laws governing the same with uniform laws, and that the clerk be instructed to notify the legislature of the state of Washington of such action.

On motion of Mr. Veatch, the senate concurred in the adoption of house concurrent resolution No. 17.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has appointed the following special committees on the part of the house:—

Under house concurrent resolution No. 2, to investigate the books and accounts of state treasurer, Messrs. Wright of Marion, Wright of Union, and Miller.

Under house concurrent resolution No. 5, to investigate the books and accounts of superintendent of penitentiary, Messrs. Belknap, Nichols, and Myer.

Under house concurrent resolution No. 10, to prepare joint memorial on foreign immigration, Messrs. Bishop, Layman, and Nickell.

Under house concurrent resolution No. 11, to prepare joint memorial relative to Nicaragua canal, Messrs. Ormsby, Lamson, and McEwen.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has appointed the following special committees on the part of the house:—

Under senate concurrent resolution No. 3, to investigate books of the secretary of state, Messrs. Wilkins, Myers, and Stone.

Under senate concurrent resolution No. 4, to investigate books and accounts of state land department, Messrs. Paxton, Merrill, and Sheridan.

Under senate concurrent resolution No. 7, to examine books of superintendent of insane asylum, Messrs. Bishop, Ormsby, and Houck.

Under senate concurrent resolution No. 8, to examine books and accounts of state military board, Messrs. Gill, Hobbs, and Nickell.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 18, appointing committee of both houses to examine and investigate all matters concerning cost of construction, etc., of the state portage railway around cascades of the Columbia river, expense of operating and maintaining same, etc., with power to compel attendance of witnesses, etc., production of books, papers, documents, etc., to administer oaths, etc., and employ clerical aid necessary; to report at earliest practicable moment.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House concurrent resolution No. 18 was read.

On motion of Mr. Alley, the senate concurred.

## HOUSE CONCURRENT RESOLUTION NO. 18.

*Resolved by the House, the Senate concurring,* That a committee of five consisting of three members from the house and two from the senate be appointed to examine and investigate all matters pertaining to the construction and cost of construction of the state portage railroad around the cascades of the Columbia river, and of the wharves, station houses, terminal facilities and approaches connected therewith, including the cost of purchasing and acquiring right of way for the use of the said road and of all other land purchased by or on behalf of the board of portage commissioners for use in connection with the said railroad; and also to examine and investigate the cost of running, operating, and maintaining the said road, and the property used in connection therewith, since the construction of the said road and the acquisition of the said property.

*Be it further resolved,* That the said committee or a majority of such committee shall have power to require the attendance and testimony of witnesses and the production of all books, papers, contracts, agreements, and documents relating to the matters under investigation, and to administer oaths; and the said committee are hereby authorized to employ such clerical help as in their judgment may be necessary.

*Resolved further,* That such committee make its report at the earliest practicable moment.

On motion of Mr. Alley, the senate concurred in the adoption of house concurrent resolution No. 18.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 19, for committee, from both houses to report a bill to apportion the senate and house representation among the various counties of the state according to United States census of 1890.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 19.

*Resolved,* That a committee, consisting of three members on the part of the senate and five members on the part of the house, constituting a joint committee, be appointed, whose duties it shall be to report a bill to apportion the senate and house of representation in the legislative assembly, among the various counties of the state, according to the census of the United States of 1890, as provided in section 6 of article IV. of the constitution of the state of Oregon.

On motion of Mr. Weatherford, house concurrent resolution No. 19 was referred to the committee on federal relations.

The president announced the following committees:—

Under senate concurrent resolution No. 3, Messrs. Denny and Blackman.

Under senate concurrent resolution No. 7, Messrs. Gates and Raley.

Under senate concurrent resolution No. 8, Messrs. Maxwell and McAlister.

Under senate concurrent resolution No. 10, Messrs. Bancroft and Weatherford.

Under house concurrent resolution No. 2, Messrs. Hirsch and Myers.

Under house concurrent resolution No. 10, Messrs. Cameron and Cogswell.



Under house concurrent resolution No. 11, Messrs. Woodard and Huston.

Senate bill No. 98. Mr. Veatch. (By unanimous consent.) A bill for an act to regulate the transportation of freights by railroad corporations within the state of Oregon.

Mr. Veatch moved that the rules be suspended and that senate bill No. 98 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 98 was read first time by title only and passed to second reading without question.

Senate bill No. 99. Mr. Cogswell. (By unanimous consent.) A bill for an act to prevent the driving or transportation of animals from one county to another for the purpose of herding or grazing the same on the commons or unenclosed lands, without first obtaining a license therefor.

Senate bill No. 99 was read first time and passed to second reading with question.

Senate bill No. 100. Mr. McGinn. (By unanimous consent.) A bill an act prohibiting deduction of indebtedness on assessment roll when credits are not taxed.

Senate bill No. 100 was read first time and passed to second reading without question.

Senate bill No. 101. Mr. Weatherford. (By unanimous consent.) A bill for an act to amend sections 2625 and 2626 of title IV. of the general laws of Oregon, as compiled and annotated by W. Lair Hill.

Senate bill No. 101 was read first time and passed to second reading without question.

By unanimous consent, Mr. Denny, chairman of the committee appointed under senate resolution No. 7, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January —, 1893. }

*Mr. President:*

Your special committee to whom was referred senate resolution No. 7, to reduce the per diem of committee clerks and pages to three

dollars per day, submit this report, and recommend the following as a substitute for the resolution:

That the chief clerk of the senate receive per day	\$10 00
Assistant chief clerk	8 00
Reading clerk	10 00
Sergeant-at-arms	5 00
Doorkeeper	4 00
Mailing clerk	4 00
Pages	3 00
Calendar clerk	5 00
Engrossed bills, chief clerk	5 00
Other clerks on same committees	4 00
Enrolled bills, chief clerk	5 00
Other clerks on same committee, each	4 00
Judiciary	5 00
Ways and means	5 00
Elections	4 00
Claims	4 00
Corporations	4 00
Public lands	4 00
Mines	4 00
Printing	4 00
Federal relations	4 00
Railroads	5 00
Public buildings	4 00
Roads and highways	4 00
Counties	5 00
Military affairs	4 00
Commerce	4 00
Education	4 00
Assessment	5 00
Agriculture	4 00
Fishing industries	4 00
Labor	4 00

The committee further recommend that the pay of all clerks commence on the day they enter upon their duties and cease when notified by the chairman of the committee employing the same that their services are no longer needed.

The committee further recommends that all clerks report to their respective chairman for duty each day the senate is in session, and remain in attendance unless duly excused therefrom.

That in lieu of senate resolution No. 15, your committee recommend as follows: That hereafter the chairman of each and every of the senate committees be authorized to employ one clerk for

such committee, and such other clerical aid as the members of the committee may deem necessary for the expeditious transaction of business, and that the chairman certify to the secretary of state the time of service of each of such clerks. The committee further recommend that it shall be the duty of the clerks so employed, when not otherwise engaged, to arrange the files of the members composing their respective committees.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

By unanimous consent, Mr. Dodson, chairman of the special committee to whom was referred senate bill No. 59, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 12, 1893. }

We, your special committee to whom was referred senate bill No. 59, beg leave to report that we have had the same under consideration, and beg leave to report it back with the recommendation that it do pass.

O. M. DODSON,  
W. F. MATLOCK,  
HENRY BLACKMAN,  
J. H. RALEY,  
D. A. McALISTER,  
Committee.

On motion of Mr. Dodson, the report was adopted.

Mr. Dodson moved that the rules be suspended and that senate bill No. 59 be considered engrossed and ordered to third reading tomorrow.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Cogswell, Myers, and Weatherford—3.

So the rules were suspended and senate bill No. 59 was considered engrossed and ordered to third reading tomorrow.

Senate bill No. 102. Mr. Butler. (By unanimous consent.) A bill for an act to amend section 2304 of chapter VIII., second volume of Hill's annotated laws of Oregon.

Senate bill No. 102 was read first time and passed to second reading without question.

Senate bill No. 103. Mr. Willis. (By unanimous consent.) A bill for an act to repeal sections 3588, 3589, and 3590 of the laws of Oregon, as compiled and annotated by W. Lair Hill, relating to interest.

Senate bill No. 103 was read first time and passed to second reading without question.

Senate bill No. 104. Mr. Blackman. (By unanimous consent.) A bill for an act to distribute, among the several counties within the state of Oregon, all the money now in the office of the state treasurer derived from the five per centum of the sales of the public lands within the state, and all money now due the state of Oregon under the act of congress, approved March 2, 1891, repaying to the state the direct tax collected by act of congress, approved August 5, 1861, for the purpose of building and improving roads.

Mr. Blackman moved that the rules be suspended and that senate bill No. 104 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, McGinn, Myers, Smith, Vanderburg, Willis, Woodard, and Mr. President—24.

Absent—Messrs. Alley, Maxwell, Raley, Steiwer, Veatch, and Weatherford—6.

So the rules were suspended and senate bill No. 104 was read first time by title only and passed to second reading without question.

By unanimous consent, Mr. Bancroft introduced senate resolution No. 17.

#### SENATE RESOLUTION NO. 17.

*Resolved*, That the state printer be requested to furnish one hundred and fifty copies of the senate standing committees.

On motion of Mr. Bancroft, the resolution was adopted.

Senate bill No. 105. Mr. Bancroft. (By unanimous consent.) A bill for an act to amend an act of the legislative assembly of the state of Oregon, filed in the office of the secretary of state, February 18, 1891, entitled an act to establish and incorporate the port of Portland, and to provide for the improvement of the Columbia and Willamette rivers in said port and between said port and the sea.

Senate bill No. 105 was read first time and passed to second reading without question.

Senate bill No. 106. Mr. Raley, by request. (By unanimous

consent.) A bill for an act establishing the office of inspector of steam boilers, and defining the duties of the inspector.

Mr. Raley moved that the rules be suspended and that senate bill No. 106 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Absent—Mr. Cross—1.

So the rules were suspended and senate bill No. 106 was read first time by title only and passed to second reading without question.

Senate bill No. 107. Mr. Hayes. (By unanimous consent.) A bill for an act to amend section 3521 of chapter XLIV. of the laws of Oregon, as compiled and annotated by W. Lair Hill.

Mr. Hayes moved that the rules be suspended and that senate bill No. 107 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Cross, McGinn, and Raley—3.

So the rules were suspended and senate bill No. 107 was read first time by title only and passed to second reading without question.

Senate bill No. 108. Mr. Myers. (By unanimous consent.) A bill for an act to provide for a more effective protection of game, fish, and song birds; for the appointment of a game and fish protector, and to define his duties; and to repeal an act entitled an act to provide for the propagation and preservation of salmon and food fishes in the public waters of the state of Oregon, including so much of the streams which form common boundaries between said state and adjacent territories, and appropriating money therefor; also, for the appointment of a fish commission, approved February 18, 1887.

Mr. Myers moved that the rules be suspended and that senate bill No. 108 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron,

Cogswell, Crosno, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President — 27.

Absent—Messrs. Cross, Denny, and McGinn—3.

So the rules were suspended and senate bill No. 108 was read first time by title only and passed to second reading without question.

Senate bill No. 109. Mr. Blackburn. (By unanimous consent.) A bill for an act to promote and increase the efficiency of special schools for the education of deaf-mutes in the state of Oregon, to provide for the purchase of grounds and the erection of suitable buildings therefor, and to make appropriations therefor.

Mr. Blackman moved that the rules be suspended and that senate bill No. 109 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Cross and McGinn—2.

So the rules were suspended and senate bill No. 109 was read first time by title only and passed to second reading without question.

Senate bill No. 110. Mr. Myers, by request. (By unanimous consent.) A bill for an act to establish the office of state examiner of stationary and portable engineers.

Mr. Myers moved that the rules be suspended and that senate bill No. 110 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President — 27.

Absent—Messrs. Blackman, Cross, and McGinn—3.

So the rules were suspended and senate bill No. 110 was read first time by title only and passed to second reading without question.

Senate bill No. 111. Mr. Dodson, by request. (By unanimous consent.) A bill for an act entitled an act to amend section 2340 of title I. of chapter XI. of Hill's annotated laws of the state of Oregon, and to provide for the fees of sheriff.

Mr. Dodson moved that the rules be suspended and that senate bill No. 111 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President — 27.

Absent—Messrs. Blackman, Cross, and McGinn—3.

So the rules were suspended and senate bill No. 111 was read first time by title only and passed to second reading without question.

On motion of Mr. Weatherford, the courtesies of the senate were extended to Dr. Mullinix, and he was invited to a seat within the bar of the senate.

Senate bill No. 27 coming on for second reading, was read second time.

On motion of Mr. Blackman, the bill was referred to the committee on claims.

On motion of Mr. Cogswell, the courtesies of the senate were extended to Hon. John H. Hall, and he was invited to a seat within the bar of the senate.

Senate bill No. 28 coming on for second reading, was read second time.

On motion of Mr. Steiwer, the bill was referred to the committee on corporations.

Senate bill No. 29 coming on for second reading, was read second time.

On motion of Mr. Cameron, the bill was referred to the committee on mining.

Senate bill No. 30 coming on for second reading, was read second time.

On motion of Mr. Weatherford, the bill was referred to the committee on judiciary.

Senate bill No. 31 coming on for second reading, was read second time.

Mr. Alley moved that the rules be suspended and that senate bill No. 31 be considered engrossed and ordered to third reading tomorrow.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President — 29.

Absent—Mr. Cogswell—1.



So the rules were suspended and senate bill No. 31 was considered engrossed and ordered to third reading tomorrow.

On motion of Mr. McGinn, the courtesies of the senate were extended to Hon. Geo. Noland, and he was invited to a seat within the bar of the senate.

Senate bill No. 32 coming on for second reading, was read second time.

On motion of Mr. Vanderburg, the bill was ordered engrossed and to third reading tomorrow.

Senate bill No. 33 coming on for second reading, was read second time.

On motion of Mr. Crosno, the bill was referred to the committee on education, with leave to report at any time.

Senate bill No. 34 coming on for second reading, was read second time.

On motion of Mr. Denny, the bill was referred to the committee on judiciary.

Senate bill No. 35 coming on for second reading, was read second time.

On motion of Mr. Willis, the bill was referred to the committee on internal improvement.

Senate bill No. 36 coming on for second reading, was read second time.

On motion of Mr. Huston, the bill was referred to the committee on corporations.

Senate bill No. 37 coming on for second reading, was read second time.

On motion of Mr. Blackman, the bill was referred to the committee on judiciary.

Senate bill No. 38 coming on for second reading, was read second time.

On motion of Mr. Maxwell, the bill was referred to the committee on counties.

Senate bill No. 39 coming on for second reading, was read second time.

On motion of Mr. Willis, the bill was referred to a special committee of the senators from Multnomah county.

Senate bill No. 40 coming on for second reading, was read second time.

On motion of Mr. Baucroft, the bill was referred to the committee on railroads.

Senate bill No. 42 coming on for second reading, was read second time.

On motion of Mr. Cameron, the bill was referred to the committee on judiciary.



Senate bill No. 43 coming on for second reading, was read second time.

On motion of Mr. McAlister, the bill was referred to the committee on agriculture.

Senate bill No. 44 coming on for second reading, was read second time.

On motion of Mr. Denny, the bill was referred to the committee on judiciary.

Senate bill No. 45 coming on for second reading, was read second time.

On motion of Mr. Willis, the bill was referred to the committee on judiciary.

Senate bill No. 46 coming on for second reading, was read second time.

On motion of Mr. Huston, the bill was referred to the committee on judiciary.

On motion of Mr. Hirsch, the senate adjourned.

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### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 17, 1893. }

Senate called to order at 2 o'clock P. M. by the president.

The roll was called and the absentees were: Senators Cross, Hirsch, and Willis.

The president announced that he had appointed as the committee on internal improvements, Senators Steiwer, Willis, and Smith.

Senate bill No. 112. Mr. Veatch. (By unanimous consent.) A bill for an act to repeal an act entitled an act to create and establish a board of railroad commissioners and to define and regulate its powers and duties, and to fix the compensation of its members, approved February 18, 1887, and also an act entitled an act to increase the power and further define the duties of the board of railroad commissioners in respect to the management, operation, and control of railroads, and the transportation of persons and property within the state of Oregon, filed in the office of the secretary of state, February 20, 1891.

Senate bill No. 112 was read first time and passed to second reading without question.

Senate bill No. 113. Mr. Weatherford. (By unanimous consent.) A bill for an act to provide for the assessment and collection of

taxes, and to repeal all of chapter XVII., except section 2836 thereof, of Hill's annotated laws of Oregon; also all of sections 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2342, 2344, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, and subdivisions 2, 9, and 23 of section 2602, subdivisions 3 and 4 of section 2619, sections 2620, 2621, 2643, 3593, and 3594 of Hill's annotated laws of Oregon; also "An act to amend section 2757 of title III. of chapter XVII. of the laws of Oregon, as compiled and annotated by W. Lair Hill," passed February 21, 1889; also "An act entitled an act to provide assessment blanks for district school clerks," approved February 25, 1889; also "An act to amend section 2797 of title I. of chapter XVII. of the laws of Oregon, as compiled and annotated by Wm. Lair Hill," approved February 25, 1889; also "An act to amend section 2621 of the general laws of Oregon, as compiled and annotated by W. Lair Hill," approved February 25, 1889, and to repeal all other acts or parts of acts, and all laws inconsistent with this act.

Mr. Weatherford moved that the rules be suspended and that senate bill No. 113 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 113 was read first time by title only and passed to second reading without question.

Senate bill No. 114. Mr. McGinn. (By unanimous consent.) A bill for an act to repeal an act to establish a state board of charities and correction for the state of Oregon.

Senate bill No. 114 was read first time and passed to second reading without question.

Senate bill No. 115. Mr. McGinn. (By unanimous consent.) A bill for an act entitled an act to amend sections 144 and 145 of title XV. of chapter I., of Hill's annotated code of the state of Oregon, relating to attachments.

Senate bill No. 115 was read first time and passed to second reading without question.

Senate bill No. 41 coming on for third reading was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron,

Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—30.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 25 coming on for third reading, was read the third time.

On motion of Mr. Weatherford, senate bill No. 25 was laid on the table.

Senate bill No. 116. Mr. Woodard. (By unanimous consent.) A bill for an act to amend section 2276 of the general laws of Oregon, as compiled and annotated by William Lair Hill, changing the boundaries of Multnomah county, Oregon.

Senate bill No. 116 was read first time and passed to second reading without question.

By unanimous consent, Mr. Woodard introduced senate concurrent resolution No. 12.

#### SENATE CONCURRENT RESOLUTION NO. 12.

*Resolved by the Senate, the House concurring,* That a joint committee, consisting of two members of the senate and three from the house, be appointed to investigate the Torrens system of transfer of real property, and to report to this legislature, by bill or otherwise, as to the desirability of its adoption by this state.

On motion of Mr. Woodard, senate concurrent resolution No. 12 was adopted.

The president presented the following recommendations from the state board of equalization, which were read:—

#### RECOMMENDATIONS.

*To the Honorable the Legislature of the State of Oregon:* The state board of equalization, at its regular 1892 session, adopted the following resolutions:

Whereas the five-mill tax now required to be levied by the several county courts of the state of Oregon for school purposes offers an inducement to the assessors of Oregon to assess property for less than its actual cash value; therefore be it

*Resolved,* That in the opinion of the board said tax ought to be abolished; that instead of said law, an act should be passed by the legislature of Oregon requiring the county court of each county in the state of Oregon to ascertain from the last school census

of said county the number of school children in said county between the ages of four and twenty years, and allow the sum of \$—— for each school child thus obtained; and that said court, at the same time that it makes a levy for taxes for county purposes, levy a tax on all of the taxable property in said county sufficient in amount to equal the amount of money ascertained as aforesaid by allowing \$—— for each school child in said county between the ages of four and twenty years; that said tax so raised be collected in the same manner that other taxes of said county are collected; that the county school superintendent of each county shall distribute the amount of money so raised as follows: That he pay to each district in said county the sum of \$50; that he distribute the residue of said money among the several school districts in his county *pro rata*, according to the number of school children in said districts between the ages of four and twenty years.

Whereas the time allowed by the present law to the state board of equalization is too short to enable said board to perform satisfactorily the duties imposed upon it by the present law, it is therefore

*Resolved*, That a law should be passed by the legislature of Oregon allowing said board sixty days in which to do its work; that thirty days of said time be used by the board in securing information in reference to the value of property in the several counties of the state of Oregon, and that the members of said board be allowed compensation for the amount of money actually expended by them for transportation while so securing said information; that the session of said board commence on the first Monday in November of each year.

Whereas the present law allowing the deduction of indebtedness and the exemption of the same from the taxable property of each taxpayer furnishes an opportunity for a large class of property owners of the state to escape their just portion of the burdens of taxation, it is therefore

*Resolved*, That in the opinion of the board, said law should be so amended as not to allow any exemptions from taxation on account of indebtedness.

Whereas the assessment of mortgages under the present law has a tendency to prevent a proper equalization of the assessment of the property in the state of Oregon, it is therefore

*Resolved*, That in the opinion of the board said law should be repealed.

*It is further resolved*, That in the opinion of the board, each taxpayer should be assessed on the amount of the property he actually owned on the first day of March of each year, at 12 o'clock at noon of said day.

*It is further resolved,* That in the opinion of the board, the present law should be so amended as to divide real property into as many **classes** as the nature of said property requires, in order to properly equalize the assessment of real property.

J. P. O. LOWNSDALE,  
President.

STATE OF OREGON,  
County of Marion. } <sup>ss.</sup>

I, D. W. Coolidge, secretary of the state board of equalization of Oregon, do hereby certify that the foregoing is a true and complete copy of resolutions adopted by the state board of equalization of Oregon, on January 5, 1893.

Signed this fifth day of January, 1893.

D. W. COOLIDGE,  
Secretary state board of equalization.

On motion of Mr. McGinn, the recommendations were referred to the committee on assessment.

Mr. Vanderburg presented petitions relating to the taxing of church property, and on his motion was referred to the committee on assessment.

By unanimous consent, Mr. Huston, chairman of the special committee to which was referred senate bill No. 8, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January —, 1893. }

*Mr. President:*

We, your special committee, to whom was referred senate bill No. 8, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

Insert the words "or to construct a sewer or drain" after the word "alley" in line 2 on page 6 of said original bill.

#### AMENDMENT.

Also insert the words "or sewer or drain" after the word "alley" in line 3 on page 6 of said original bill.

## AMENDMENT.

Also insert the words "or sewer or drain" after the word "alley" in line 6 of page 6 of said original bill.

## AMENDMENT.

Also insert the words "or sewer or drain" after the word "alley" in line 7 on page 6 of said original bill.

## AMENDMENT.

Also insert the words "or sewer or drain" after the word "alley" in line 9 on page 6 of said original bill.

## AMENDMENT.

Also insert the words "and all bonds heretofore issued by said town" after the word Hillsboro in line 10 on page 21 of said original bill.

## AMENDMENT.

Also insert the words "and shall be paid and performed" after the word "assumed" in line 11 of page 21 of said original bill and preceding the word "by" in line 12 of said original bill.

S. B. HUSTON,  
J. W. MAXWELL,  
Special committee.

On motion of Mr. Huston, the report was adopted, and senate bill No. 8 was ordered engrossed and to third reading tomorrow.

By unanimous consent, Mr. Willis introduced senate joint resolution No. 6.

## SENATE JOINT RESOLUTION NO. 6.

*Resolved by the Senate, the House concurring,* That the following amendment to the constitution of the state of Oregon be and hereby is proposed, to-wit: Amend section 1 of article IX. of the constitution of the state of Oregon so that it shall read as follows:—

Section 1. The legislative assembly shall provide by law for a uniform and equal rate of assessment and taxation; and shall prescribe such regulations as shall secure a just valuation for taxation of all property, both real and personal, excepting only notes, accounts, and credits, and excepting also such other property for municipal, educational, literary, scientific, religious, or charitable purposes as may be specially exempted by law.

Mr. Willis moved the adoption of the resolution.

100

Mr. Cogswell moved to amend by referring the resolution to the committee on judiciary.

The amendment prevailed, and the resolution was so referred.

On motion of Mr. Weatherford, the senate adjourned.

O. P. MILLER,  
Chief clerk.

WEDNESDAY, JANUARY 18, 1893.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 18, 1893. }

The senate was called to order by the president at 10 o'clock A. M.

The roll was called, and all the senators answered to their names.

The senate was opened with prayer by Rev. Mr. Bowersox, of the Evangelical Church.

On motion of Mr. Myers, the reading of the journal of yesterday was dispensed with.

Senate bill No. 117. Mr. Cross. A bill for an act to provide for the laying out, constructing, or improving county roads, and the levying of assessment upon adjacent lands benefited, to create a fund to pay the same.

Senate bill No. 117 was read first time and passed to second reading without question.

Mr. Cross moved that the rules be suspended and that senate bill No. 117 be read second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Alley, Butler, Cogswell, Hirsch, McGinn, Raley, and Veatch—7.

So the rules were suspended and senate bill No. 117 was read second time by title.

On motion of Mr. Cross, the bill was referred to the committee on roads and highways.

Senate bill No. 118. Mr. Myers. A bill for an act entitled an act to provide for and regulate the office of precinct and ward assessors, to regulate the equalization of assessments, to provide for



the registration of taxpayers, to repeal so much of an act approved October 20, 1866, and the supplements thereto, as provides for the regulation of the office of county assessor, to repeal section 55 of an act approved February 19, 1891, entitled an act to incorporate the city of Portland, and so much of said act as provides for the regulation of the office of city assessor, and also to repeal an act approved October 25, 1870, entitled an act to create a board for the equalization of taxes in and for the several counties of this state, etc.

Mr. Myers moved that the rules be suspended and that senate bill No. 118 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Alley, Butler, Cogswell, Hirsch, McGinn, Raley, and Veatch—7.

So the rules were suspended and senate bill No. 118 was read first time by title only and passed to second reading without question.

Senate bill No. 119. Mr. Crosno. A bill for an act to create the county of Bay, and to fix the salaries of county judge and treasurer thereof.

Senate bill No. 119 was read first time and passed to second reading without question.

Senate bill No. 120. Mr. Alley. An act to amend an act to incorporate the city of Junction, approved February 20, 1885.

Senate bill No. 120 was read first time and passed to second reading without question.

Senate bill No. 121. Mr. Myers. A bill for an act to define who is a tramp, and to provide a punishment therefor.

Senate bill No. 121 was read first time and passed to second reading without question.

Senate bill No. 122. Mr. Willis (by request). A bill for an act to repeal sections 61 to 70, both inclusive, of an act entitled an act to incorporate the city of Portland, passed at the sixteenth biennial session of the legislative assembly of the state, and to create a municipal court for the city of Portland, with the powers of a justice of the peace, creating the city of Portland into a single district for judicial purposes in so far as the jurisdiction and power of a justice of the peace are concerned, and directing and empowering the city attorney of the city, by himself or deputy, to prosecute in said court all criminal causes arising therein, as well for violations of the



general laws of the state as for violations of the city ordinances of said city.

Senate bill No. 122 was read first time and passed to second reading without question.

Senate bill No. 123. Mr. Cross (by request). A bill for an act to amend section 3025 of the general laws of Oregon, as compiled by W. Lair Hill, and to repeal sections 3027 and 3030 of the same, relating to the recording of conveyances.

Senate bill No. 123 was read first time and passed to second reading without question.

Senate bill No. 124. Mr. McAlister. A bill for an act creating the eighth and ninth judicial districts of the state of Oregon, and redistributing the sixth and seventh districts, and providing for the appointment and election of judges and prosecuting attorneys for the eighth and ninth districts, and prescribing the times and places of holding the terms of the circuit court of the said sixth, eighth, and ninth judicial districts.

Mr. McAlister moved that the rules be suspended and that senate bill No. 124 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—26.

Absent—Messrs. Crosno, Cross, Hirsch, and McGinn—4.

So the rules were suspended and senate bill No. 124 was read first time by title only and passed to second reading without question.

Mr. McAlister moved that the rules be further suspended and that senate bill No. 124 be read second time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Absent—Messrs. Beckley, Cogswell, Crosno, Hirsch, and McGinn—5.

So the rules were suspended and senate bill No. 124 was read second time.

On motion of Mr. McAlister, the bill was referred to the committee on judiciary.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 23, appointing committee from both houses to visit United States salmon hatchery on Clackamas river; examine and report.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 23.

Introduced by Mr. Currin.

*Resolved by the House, the Senate concurring,* That a committee of five, consisting of two senators and three representatives, be appointed to visit the United States salmon hatchery, situated on the Clackamas river in Clackamas county, examine the same and report their findings to this legislature.

On motion of Mr. Cross, house concurrent resolution No. 23 was laid on the table.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 24, appointing committee from both houses to visit and examine mineral springs at Sodaville, Linn county, and report to the legislature what action should be taken for proper preservation of said springs.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 24.

Whereas the mineral springs at Sodaville, Linn county, Oregon, are the property of the state, and the proper care and preservation

and care of the same is of great importance to the people of the state, because of the medical properties of the waters of said springs; therefore be it

*Resolved*, That a committee of two on the part of the house and one on the part of the senate be appointed to visit and examine said springs, and report to the legislature what if any action should be taken looking to the proper preservation of said springs.

Mr. Veatch moved to lay the resolution on the table.

Lost.

Mr. Cogswell moved to amend by striking out the word "one" and insert in lieu thereof the word "thirty," and to strike out the words "one on the part of the house" and insert the words "sixty on the part of the house."

Lost.

Mr. Veatch moved to refer the resolution to the committee on fishing industries.

Lost.

Mr. Dodson moved that the senate concur in the resolution.

The motion prevailed, and the senate concurred.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has appointed under house concurrent resolution No. 17, to meet with like committee from state of Washington to look after fishing interests on Columbia river, on the part of the house, Messrs. Myers, Coon, and Jeffreys.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
———, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has appointed as committee on the part of the house under senate concurrent resolution No. 10, Messrs. Gullixson, Hobbs, and Daly.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 5, authorizing and directing secretary of state to telegraph our representatives in congress to interview secretary of war with view to hasten transfer of tools and machinery from government to contractor so that work on Cascade locks may be allowed to proceed.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## HOUSE JOINT RESOLUTION NO. 5.

Whereas the contractors at Cascade locks are now prepared to begin work on said locks, but the delay in transferring the plant of machinery and tools belonging to the government to said contractors is causing unnecessary delay; therefore be it

*Resolved by the House, the Senate concurring,* That the secretary of state be and is hereby authorized and directed to telegraph our representatives in congress to interview the secretary of war with a view that said transfer may be made at once and work on the Cascade locks allowed to proceed.

Mr. Smith moved that the senate concur in the adoption of house joint resolution No. 5.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—26.

Absent—Messrs. Blackman, Cameron, Cogswell, and McGinn—4.  
 So the resolution was concurred in.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 22, appointing a committee

from both houses to visit and examine the general working of plant utilized in manufacture of stoves at Oregon penitentiary, ascertain cost, amount of labor employed, and probable cost of enlarging plant to utilize all of the labor, and such other suggestions as they may deem of best interests of state.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 22.

*Resolved by the House, the Senate concurring,* That a committee of three on the part of the house and two on the part of the senate be appointed whose duty it shall be to visit and examine into the general workings of the foundry and machine plant which is now being utilized in the manufacture of stoves at the Oregon penitentiary, and to report the cost price thereof, and what the same can be purchased at; the amount of prison labor employed in the same, and if the said labor is not all employed to report what would be the cost to enlarge the plant so as to employ all of said labor, and any other suggestions that the committee may deem to the best interests of the state concerning the same.

Mr. Weatherford submitted the following amendment:

AMENDMENT.

I move to amend house concurrent resolution No. 22 by striking out that part creating a special committee of three on the part of the house and two on the part of the senate and insert in lieu thereof, that the special committee heretofore appointed under senate concurrent resolution No. 10 shall examine.

On motion of Mr. Weatherford, the amendment was adopted.

On motion of Mr. Weatherford, the resolution as amended was concurred in by the senate.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 12, and the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 20, providing for a committee from both houses to draft a general incorporating act to govern incorporation of cities, etc., and to report the same at the next biennial session of this legislature, to receive such compensation as the next house shall allow.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## HOUSE JOINT RESOLUTION NO. 20.

*Resolved by the House, the Senate concurring,* That a committee of five be appointed, consisting of three from the house and two from the senate, to draft a general incorporating act to govern the incorporation of cities and the amendments to their charters, and to report the same at the next biennial session of the Oregon state legislature, and they are to receive such reasonable compensation for their services as the next house may allow.

On motion of Mr. Willis, the senate concurred in the adoption of house concurrent resolution No. 20.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 6, that clerks of joint committees be allowed four dollars and no more for the time actually employed and actual traveling expenses, if travel is necessary in performing work of committee.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## HOUSE JOINT RESOLUTION NO. 6.

*Resolved by the House, the Senate concurring,* That clerks of joint committees shall be paid four dollars per day and no more for the time actually employed; and in case it is necessary to travel in performing work for said committees, the clerk shall receive in addition his actual traveling expenses while so employed.

On motion of Mr. Willis, house joint resolution No. 6 was laid on the table.

On motion of Mr. Woodard, the courtesies of the senate were extended to Captain Moffitt, and he was invited to a seat within the bar of the senate.

On motion of Mr. Cross, the courtesies of the senate were extended to Hon. Peter Paquet, and he was invited to a seat within the bar of the senate.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 21, appointing joint committee of two from senate and three from the house to examine as to the advisability of the said road being maintained by the state, authorizing committee to report a bill for such purpose.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 21.

Whereas the charter of the company heretofore collecting tolls over what is commonly called the Barlow road connecting the Willamette valley with Eastern Oregon has expired; and

Whereas it is desirable the said road shall be maintained as a free road for the convenience of the people of the state; therefore be it

*Resolved by the House, the Senate concurring,* That a joint committee, consisting of three on the part of the house and two on the part of the senate, be appointed to examine as to the advisability of the said road being maintained by the state as a free road, and said joint committee are hereby authorized to report a bill for such purpose.

On motion of Mr. Cross, house concurrent resolution No. 21 was referred to the committee on roads and highways.

Senate bill No. 125. Mr. ~~Hirsch~~. A bill for an act to provide for the further advancement, development, and efficiency of the state reform school of the state of Oregon.

Senate bill No. 125 was read first time.

Mr. Hirsch moved that the rules be suspended and that senate bill No. 125 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Crosno, Cross, Denny, Dodson, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—26.

Absent—Messrs. Cameron, Cogswell, and Gates—3.

Not voting—Mr. Alley—1.

So the rules were suspended and senate bill No. 125 was read second time by title only.

On motion of Mr. Hirsch, the bill was referred to the committee on education.

Senate bill No. 47 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on assessments.

On motion of Mr. McGinn, the courtesies of the senate were extended to Rev. Father White, and he was invited to a seat within the bar of the senate.

Senate bill No. 48 coming on for second reading, was read second time.

On motion of Mr. Willis, the bill was referred to the committee on judiciary.

Senate bill No. 49 coming on for second reading, was read second time.

On motion of Mr. Willis, the bill was referred to a special committee consisting of the senators from Multnomah county, with leave to report at any time.

Senate bill No. 50 coming on for second reading, was read second time.

On motion of Mr. Cross, the bill was referred to the committee on judiciary.

Senate bill No. 51 coming on for second reading, was read second time.

On motion of Mr. Cross, the bill was referred to the committee on roads and highways.



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Senate bill No. 52 coming on for second reading, was read second time.

On motion of Mr. Butler, the bill was referred to the committee on education.

Senate bill No. 53 coming on for second reading, was read second time.

On motion of Mr. Raley, the bill was referred to the committee on internal improvements.

Senate bill No. 54 coming on for second reading, was read second time.

On motion of Mr. Huston, the bill was referred to the committee on judiciary.

Senate bill No. 55 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on education.

Senate bill No. 56 coming on for second reading, was read second time.

On motion of Mr. Steiwer, the bill was referred to the committee on corporations.

Senate bill No. 57 coming on for second reading, was read second time.

On motion of Mr. Huston, the bill was referred to the committee on judiciary.

Senate bill No. 58 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on railroads.

Senate bill No. 60 coming on for second reading, was read second time.

On motion of Mr. Looney, the bill was referred to the committee on agriculture.

Senate bill No. 61 coming on for second reading, was read second time.

On motion of Mr. Cameron, the bill was referred to the committee on counties.

Senate bill No. 62 coming on for second reading, was read second time.

On motion of Mr. Butler, the bill was referred to the committee on judiciary.

Senate bill No. 63 coming on for second reading, was read second time.

On motion of Mr. Denny, the bill was referred to the committee on judiciary.

Senate bill No. 31 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President — 26.

Nays — None.

Absent — Messrs. Denny, McGinn, Myers, and Weatherford — 4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Cross, senate bill No. 25 was taken from the table and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Raley, Smith, Steiwer, Veatch, Willis, Woodard, and Mr. President — 26.

Nays — None.

Absent — Messrs. McGinn, Myers, Vanderburg, and Weatherford — 4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 59 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Veatch, Willis, Woodard, and Mr. President — 24.

Absent — Messrs. Denny, Huston, Myers, and Weatherford — 4.

Not voting — Messrs. Cross and Vanderburg — 2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The committee on engrossed bills submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 17, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 32, beg leave to report the same back to the senate as correctly engrossed.

HENRY E. MCGINN,  
Chairman.

Senate bill No. 32 was ordered to third reading.

On motion of Mr. Cogswell, the senate adjourned.

## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 18, 1893. }

The senate was called to order by the president at 2 o'clock P. M.

The roll was called, and all senators were present except Mr. Raley.

The following communication from Brigadier-General H. B. Compson, O. N. G., was read:—

## COMMUNICATION.

HEADQUARTERS BRIGADE, O. N. G.,  
PORTLAND, Oregon,  
January 16, 1893. }

*Hon. C. W. Fulton, President Oregon State Senate, Salem, Oregon—*

SIR: I have the honor to render to you, in company with the Hon. W. P. Keady, speaker of the house of representatives, a review of the first regiment of the Oregon National Guard at its armory in Portland on Friday evening, January 20th, next. I have ordered a parade of the regiment and battery "A" at the time and place named for the purpose of making an official inspection of these organizations myself, and I will greatly appreciate the honor to the regiment and battery which your acceptance of this invitation will confer. I have also the honor to extend through you to the members of the senate a most cordial invitation to be present and witness the military exercises on this occasion.

If convenient and agreeable for you and the senators to be present, will you kindly so notify me, and I will at once advise you of all details as to hour of formation, etc.

I have the honor to remain, sir, very respectfully,

Your obedient servant,

H. B. COMPSON,  
Brigadier-General Commanding.

Mr. Hirsch introduced senate concurrent resolution No. 13.

SENATE CONCURRENT RESOLUTION NO. 13.

*Resolved by the Senate, the House concurring,* That the invitation to witness the inspection and drill at the armory in Portland January 20th be accepted.

On motion of Mr. Hirsch, the resolution was adopted.

On motion of Mr. Myers, the courtesies of the senate were extended to Hon. Geo. H. Burnett, Rev. Mr. Wilbur, and Col. J. T. Bowditch, and they were invited to seats within the bar of the senate.

Senate bill No. 126. Mr. Denny, by request. (By unanimous consent.) A bill for an act to provide for the officers and government of the state penitentiary and the state reform school.

Senate bill No. 126 was read first time and passed to second reading without question.

Mr. Denny moved that the rules be suspended and that senate bill No. 126 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—None.

Absent—Messrs. Cogswell, Crosno, and Looney—3.

So the rules were suspended and senate bill No. 126 was read second time by title only.

On motion of Mr. Denny, the bill was referred to the committee on judiciary.

On motion of Mr. McGinn, the courtesies of the senate were extended to Rev. Mr. Chattin, and he was invited to a seat within the bar of the senate.

Senate bill No. 127. Mr. Butler. (By unanimous consent.) A bill for an act to authorize and empower the city of Dallas to con-

struct, conduct, and maintain water works therein; to incur an indebtedness therefor; to issue bonds and to purchase and own real property.

Senate bill No. 127 was read first time and passed to second reading without question.

Senate bill No. 128. Mr. Cross. (By unanimous consent.) A bill for an act to repeal section 2795 of the annotated laws of the state of Oregon, as compiled by W. Lair Hill.

Senate bill No. 128 was read first time and passed to second reading without question.

Senate bill No. 129. Mr. Butler. (By unanimous consent.) A bill for an act to amend sections 2954, 2958, 2959, 2965, and 2978, chapter XIX., title I., of Hill's annotated laws of Oregon.

Senate bill No. 129 was read first time and passed to second reading without question.

The committee on engrossed bills submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 18, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 8, beg leave to report the same back to the senate as correctly engrossed.

HENRY MCGINN,  
Chairman.

Senate bill No. 8 was ordered to third reading.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 18, 1893. }

I am directed by the speaker to inform you that the house has concurred in senate's amendment to house concurrent resolution No. 22, naming special committee appointed under senate concurrent resolution 10 as committee to perform duties named in house concurrent resolution No. 22.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 18, 1893. }

*Mr. President :*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 7, that our senators and representatives use all honorable means to procure appropriation for building breakwater and harbor of refuge at Port Orford, etc.

And the same is herewith returned to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## HOUSE JOINT MEMORIAL NO. 7.

Whereas the congress of the United States has made an appropriation of one hundred and fifty thousand dollars for the purpose of commencing the work of building a harbor of refuge at some point on the Pacific coast; and whereas the United States board of engineers for the Pacific coast, after careful examination, recommended Port Orford in Oregon as the best location for that great national work; and whereas the building of a harbor at Port Orford would not only be of incalculable advantage to the commerce of the nation, but would at the same time provide for Southern and Eastern Oregon a much needed outlet for their productions; therefore be it

*Resolved by the House, the Senate concurring,* That our senators and representatives are hereby earnestly requested to use all honorable means to procure immediate and ample appropriations of money from the general government for the purpose of building a breakwater and harbor of refuge at Port Orford, Oregon.

*Resolved,* That the secretary of state be and he is hereby instructed to furnish a copy of this resolution to each of our senators and representatives in congress.

On motion of Mr. Veatch, house joint memorial No. 7 was referred to the committee on federal relations.

The president announced the following committees:—

Under house concurrent resolution No. 13, Senators Cross and Raley.

Under house concurrent resolution No. 20, Senators Willis and Butler.

Under house concurrent resolution No. 24, Senator Dodson.

Under house concurrent resolution No. 17, Senators Maxwell and Myers.

**REPORT.**

SENATE CHAMBER,  
SALEM, Oregon,  
January 18, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate joint resolution No. 2, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

**REPORT.**

SENATE CHAMBER,  
SALEM, Oregon,  
January 18, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 36, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

**AMENDMENT.**

Insert the word "two" after the words "sum of" in third line in section 13.

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, the report was adopted, and senate bill No. 36 was ordered engrossed.

**REPORT.**

SENATE CHAMBER,  
SALEM, Oregon,  
January —, 1893. }

*Mr. President:*

The joint committee appointed under house concurrent resolution No. 10, to propose a joint memorial to congress on foreign immigration, respectfully report that said committee have organized by electing the undersigned chairman, and have proposed a memorial which has been submitted to the house of representatives for

their consideration; and there being no further duties, we respectfully ask that we be discharged.

C. A. COGSWELL,  
Chairman.

On motion of Mr. Cogswell, the report was adopted, and the committee was discharged from further duties.

Senate bill No. 130. Mr. Hayes. A bill for an act to amend section 387, miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

Mr. Hayes moved that the rules be suspended and that senate bill No. 130 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Smith, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Absent—Messrs. Beckley, Denny, Myers, Raley, and Steiwer—5.

So the rules were suspended and senate bill No. 130 was read first time by title only and passed to second reading without question.

Senate bill No. 131. Mr. Alley. A bill for an act to amend section 3589 of the general laws of the state of Oregon, as annotated and compiled by W. Lair Hill.

Senate bill No. 131 was read first time.

Mr. Alley moved that the rules be suspended and that senate bill No. 131 be read the second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Beckley, Raley, and Weatherford—3.

So the rules were suspended and senate bill No. 131 was read second time by title only.

On motion of Mr. Alley the bill was referred to the committee on judiciary.

Senate bill No. 132. Mr. Vanderburg. A bill for an act entitled an act to authorize public notice of county expenses and expenditures, to be given in itemized form and to fix method and compensation therefor.

Senate bill No. 132 was read first time and passed to second reading without question.

Mr. Vanderburg moved that the rules be suspended and that senate bill No. 132 be read second time by title only.



On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 132 was read second time by title.

On motion of Mr. Vanderburg, the bill was referred to the committee on printing.

Senate bill No. 64 coming on for second reading, was read second time.

On motion of Mr. Steiwer, the bill was referred to the committee on corporations.

Senate bill No. 65 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on judiciary.

Senate bill No. 66 coming on for second reading, was read second time.

On motion of Mr. Smith, the bill was referred to the committee on railroads, with leave to report at any time.

Senate bill No. 67 coming on for second reading, was read second time.

On motion of Mr. Dodson, the bill was referred to the committee on counties, with leave to report at any time.

Mr. Cross moved that the senate do now adjourn.

The motion was lost.

Senate bill No. 32 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Cross, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—24.

Absent—Messrs. Blackman, Crosno, Denny, Dodson, Myers and Veatch—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 8 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President — 29.

Absent — Mr. Crosno — 1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 18, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate joint resolution No. 2.

And the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign senate joint resolution No. 2, and soon thereafter that he had signed the same.

Senate bill No. 133. Mr. Cross, by request. (By unanimous consent.) A bill for an act to annex the city of Portland, the city of Sellwood and certain intervening territory, and to repeal the charter of the city of Sellwood.

Senate bill No. 133 was read first time and passed to second reading without question.

On motion of Mr. Cogswell, the senate adjourned.

O. P. MILLER,  
Chief clerk.

THURSDAY, JANUARY 19, 1893.

#### MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 19, 1893. }

Senate called to order at 10 o'clock A. M. by the president.

The roll was called, and all the members were present.

The senate was opened with prayer by Rev. W. S. Williams.

On motion of Mr. Blackman, the courtesies of the senate were extended to Hon. C. A. Rhea of Heppner, and he was invited to a seat within the bar of the senate.

On motion of Mr. McGinn, the courtesies of the senate were extended to Hon. James Lotan, W. L. Boise, W. M. Gregory, Judge J. C. Moreland, and Judge Carey, and they were invited to seats within the bar of the senate.

On motion of Mr. Myers, the reading of the journal of yesterday was dispensed with.

The committee on engrossed bills submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 18, 1893. }

*Mr. President :*

Your committee on engrossed bills, to whom was referred senate bill No. 36, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senate bill No. 36 was ordered to third reading tomorrow.

On motion of Mr. Hirsch, the courtesies of the senate were extended to Hon. G. M. Irwin, and he was invited to a seat within the bar of the senate.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 18, 1893. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 27,—a bill for an act to provide for filling vacancies in the board of water commissioners of Dallas City, to prescribe the duties of the board in the management of the water works of said city, and to provide for loaning the water fund thereof.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 18, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 15,—a bill for an act to amend section 2 of chapter I. of an act entitled “An act to incorporate the city of Lebanon, in Linn county, state of Oregon, and to repeal all acts or parts of acts in conflict therewith,” filed in the office of secretary of state, February 20, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 36 coming on for third reading, was read third time.

The question being, “Shall the bill pass?” the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President —28.

Nays—None.

Absent—Messrs McGinn and Weatherford—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 27 was read first time and passed to second reading without question.

House bill No. 15 was read first time and passed to second reading without question.

By unanimous consent, Mr. Willis submitted senate resolution No 18.

## SENATE RESOLUTION NO. 18.

*Resolved,* That the chairman of each special committee of this senate be and hereby is authorized to employ such persons to render skilled or clerical aid to his committee, and on such terms as such committee shall deem necessary, and that the chairman certify to

the secretary of state the name of each person so employed, the time of such employment, and the amount due therefor.

On motion of Mr. Willis, the resolution was adopted.

By unanimous consent, Mr. Blackman introduced senate resolution No. 19.

#### SENATE RESOLUTION NO. 19.

*Resolved*, That when the senate adjourns it will be to meet on Monday next at 2 P. M.

On motion of Mr. Blackman, the resolution was adopted.

The committee on judiciary submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 19, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 9, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

#### AMENDMENT.

On next to the last line of the original bill strike out the word "lessee" and insert the word "lessor" in lieu thereof.

#### AMENDMENT.

Insert the words "of title" after the word "transfer" on second line of section 1 of said original bill.

O. N. DENNY,  
Chairman.

On motion of Mr. Cogswell, the report was adopted, and senate bill No. 9 was ordered engrossed and to third reading tomorrow.

The committee on elections submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 19, 1893. }

*Mr. President:*

Your committee on elections, to whom was referred senate bill No. 24, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

AMENDMENT.

Insert the words "section 1" after the word "Oregon" in line 1 of the enacting clause of said bill.

AMENDMENT.

Strike out the word "is" and insert the word "are" in line 3 of said bill.

AMENDMENT.

Strike out the words "section 1" in line 5 of said bill.

AMENDMENT.

Strike out all of line 16 and the word "that" at the beginning of line 17.

AMENDMENT.

Strike out the word "assume" and insert the words "as soon" in line 19, and change the word "practical" to "practicable" in said line 19 of said bill.

AMENDMENT.

Insert the words "state of" after the words "of" in line 21 of said bill.

C. H. WOODARD,  
Chairman.

Mr. Cogswell submitted the following amendment to the report of the committee:—

I move to amend the amendment by striking out the words "and section 2563 in line 1 of page 1."

On motion of Mr. Huston, the bill (senate bill No. 24) with the amendments was referred to the committee on judiciary with leave to report at any time.

Senate bill No. 134. Mr. McGinn. (By unanimous consent.) A bill for an act to amend sections 49 and 59 of an act entitled "An act fixing the time for holding elections, regulating the manner of conducting state, district, county, and precinct elections, prescribing the manner of making nominations of candidates, providing for printing and distributing ballots by public officers at public ex-

pense, to prevent frauds and punish crimes affecting the right of suffrage; to repeal all of an act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the election franchise, and repealing title I. of chapter XIV. of the miscellaneous laws of Oregon, approved February 24, 1885; to repeal all of an act entitled an act to amend sections 4, 10, 14, 15, and 24 of an act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I. of chapter XIV. of the miscellaneous laws of Oregon, approved February 24, 1885, approved November 25, 1885; to repeal all of an act entitled an act to amend section 49 of an act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I. of chapter XIV. of the miscellaneous laws of Oregon, approved February 24, 1885, approved November 25, 1885; to repeal all of an act entitled an act relating to elections, approved October 19, 1872; to repeal sections 26, 27, and 28 of an act entitled an act relating to elections, and the mode of filling vacancies in office, approved October 29, 1870; to repeal all of an act entitled an act to amend section 2507 of Hill's annotated laws of Oregon, relating to elections and ballot paper, approved February 20, 1889, the same being identical with title I. and II. of chapter XIV., sections 2499 to 2537, both inclusive, of the miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill, and to repeal all acts and parts of acts in conflict with this act," approved February 13, 1891.

Senate bill No. 134 was read first time.

Mr. McGinn moved that the rules be suspended and that senate bill No. 134 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Veatch and Weatherford—2.

So the rules were suspended and senate bill No. 134 was read second time by title only.

On motion of Mr. McGinn, the bill was referred to the committee on elections.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 19, 1893. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 67, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

Strike out all after the words "an act" in the first line and insert the following: To amend section 2343, chapter XI., title I., of the miscellaneous laws of the state of Oregon, as compiled and annotated by W. Lair Hill.

*Be it enacted by the Legislative Assembly of the State of Oregon:*

Section 1. That section 2343, chapter XI., title I., of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, be amended to read as follows:

Section 2343. The county clerks and sheriffs in the counties of Grant, Lake, Wasco, Crook, and Klamath shall receive for their services an additional compensation of thirty-three and one third per centum; *provided*, that this section shall not apply to the fees allowed to the sheriff of Grant county for collecting taxes, but shall apply to all other fees allowed such sheriff.

Section 2. This act shall not take effect until after the general election of 1894.

O. M. DODSON,  
Chairman.

Mr. Cogswell submitted the following amendment to the above amendment:—

## AMENDMENT.

Strike out the words "Lake and Klamath" in the amendment.

On motion of Mr. Dodson, the report as amended was adopted.

Senate bill No. 67 was ordered engrossed and to third reading tomorrow.

The committee on counties submitted the following report:—



## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 19, 1893. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 38, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. M. DODSON,  
Chairman.

On motion of Mr. Dodson, the report was adopted and senate bill No. 38 was ordered engrossed and to third reading tomorrow.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 19, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate concurrent resolution No. 9.

And the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 19, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has appointed the following committees on the part of the house:—

Under house concurrent resolution No. 13, to consider plan for state acquiring title to locks, Oregon City, Gill, Russell, and Currin.

Under house concurrent resolution No. 18, to examine and investigate construction, etc., of state portage railway around cascades of Columbia, Messrs. Brown of Morrow, Paxton, and Staats.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 18, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 8, asking congress to take immediate steps for the prohibition of immigration and providing for enforcing the same; and requesting secretary of state to immediately forward copies of memorial to our senators and representatives in congress.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## HOUSE JOINT MEMORIAL NO. 8.

*To the Senate and House of Representatives of the United States of America in Congress Assembled:* Your memorialist, the legislative assembly of the state of Oregon, in this year of our Lord one thousand eight hundred and ninety-three, beg leave to respectfully submit, for the timely consideration of your honorable body, the following memorial, accompanied by our earnest petition that the same be accepted and acted upon in the spirit of patriotism and national self-preservation that prompts its presentation.

Whereas the unrestricted immigration of laboring classes, though long a desirable factor in our national development, has in the last thirty years achieved proportions so gigantic as to become our gravest menace; and whereas our once great need of population, rapidly augmented by imported laborers, has been so fully met that the question as to "where we shall find people for our unsettled lands," has given place to the much more startling query as to "where we shall find lands and labor for our homeless people;" and whereas the experience of many states of the union proves that the indiscriminate naturalization of the foreign-born population of monarchical governments is rapidly undermining our republican institutions, and will ultimately overthrow them if allowed to go on unchecked; and whereas the far-seeing founders of this government conferred upon congress the power "to establish" an uniform system of naturalization (see article I., paragraph 8, section 15 of the constitution of the United States); and whereas article XXX., from sections 2165 to 2174 inclusive, of the revised statutes of the United States, also later laws regulating the naturalization of aliens, clearly

sustain the power of congress in dealing with this difficult problem; and whereas such laws were well adapted to the purposes for which they were intended at the time of their enactment, yet the conditions of our country have so far changed that they have ceased to apply to our present situation, and not only no longer operate as a protection to our interests, but have become the alarming source of revolution and despotism upon our own soil; and whereas the threatened scourge of Asiatic cholera, now menacing our people, can be held in check only through necessary restriction of such immigration; therefore,

*Resolved*, That the legislative assembly of the state of Oregon respectfully petition your honorable body to take immediate action for such prohibition and provide fully for its enforcement before the close of the present session of congress, and that the secretary of state be requested to immediately forward copies of this memorial to each of our senators and representatives in congress.

On motion of Mr. Hirsch, house joint memorial No. 8 was referred to the committee on federal relations.

Mr. McGinn and Mr. Matlock were each granted a leave of absence.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 18, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 13, and the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 18, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has appointed as committee on the part of the house under senate resolution No. 6, Messrs. Northup, Wright of Marion, and Nickell.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 18, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 20,—a bill for an act to incorporate the city of Adams in the county of Umatilla, state of Oregon, and to define the powers thereof.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 18, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 87,—a bill for an act to incorporate the town of Lakeview, Lake county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

Senate bill No. 135. Mr. Dodson. A bill for an act to amend section 60 of an act entitled "An act to incorporate Baker City, in Baker county, and state of Oregon, and to repeal all prior acts to incorporate Baker City, in Baker county, state of Oregon, and the amendments thereto," filed in the office of the secretary of state, February 21, 1891.

Mr. Dodson moved that the rules be suspended and that senate bill No. 135 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Dodson, Gates, Hayes, Hirsch, Huston, Looney, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—26.

Absent—Messrs. Denny, Matlock, Maxwell, and McGinn—4.

Mr. McGinn and Mr. Matlock absent on leave.

So the rules were suspended and senate bill No. 135 was read first time by title only.

Mr. Dodson moved that the rules be further suspended and that senate bill No. 135 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Absent—Messrs. Butler, Cross, Denny, Matlock, and McGinn—5.

Mr. McGinn and Mr. Matlock were absent on leave.

So the rules were suspended and senate bill No. 135 was read second time by title.

On motion of Mr. Dodson, the bill was referred to the committee on corporations.

Senate bill No. 136. Mr. Veatch. A bill for an act to authorize county judges to bid in property sold for taxes.

Senate bill No. 136 was read first time and passed to second reading without question.

Senate bill No. 137. Mr. Veatch. A bill for an act to repeal section 2797, and to amend sections 2815, 2816, and 2817 of the miscellaneous laws of Oregon, relating to the sale of property for taxes, as compiled and annotated by W. Lair Hill.

Senate bill No. 137 was read first time.

Mr. Veatch moved to suspend the rules and read senate bill No. 137 second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, McAlister, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—24.

Absent—Messrs. Bancroft, Cross, Matlock, Maxwell, McGinn, and Myers—6.

Mr. McGinn and Mr. Matlock absent on leave.

So the rules were suspended and senate bill No. 137 was read second time by title.

On motion of Mr. Veatch, the bill was referred to the committee on assessments.

Senate bill No. 138. Mr. Huston. A bill for an act to exempt homesteads from execution and to amend section 282 of Hill's annotated laws of Oregon.

Mr. Huston moved that the rules be suspended and that senate bill No. 138 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Blackman, Butler, Cameron, Cogswell, Crosno, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Bancroft, Beckley, Cross, Denny, Dodson, Matlock, and McGinn—7.

So the rules were suspended and senate bill No. 138 was read first time by title only and passed to second reading without question.

Senate bill 139. Mr. Crosno (by request). A bill for an act to amplify and render more efficient the duties and work of the state board of charities of the state of Oregon.

Senate bill No. 139 was read first time and passed to second reading without question.

The president announced that he was about to sign senate concurrent resolution No. 9, and soon thereafter that he had so signed.

On motion of Mr. Veatch, the senate adjourned.

O. P. MILLER,  
Chief clerk.

MONDAY, JANUARY 23, 1893.

AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1893. }

The senate was called to order by the president at 2 o'clock P. M.

The roll was called, and all the senators were present except Mr. Willis, who was granted a leave of absence until to-morrow.

The senate was opened with prayer by Rev. W. R. Williams, pastor of the Christian Church.

On motion of Mr. Blackman, the courtesies of the senate were extended to Hon. Wm. Hughes and Representative Welch, and they were invited to seats within the bar of the senate.

On motion of Mr. Weatherford, the courtesies of the senate were extended to Hon. S. A. Dawson, and he was invited to a seat within the bar of the senate.

On motion of Mr. Veatch, the reading of the journal was dispensed with.

Mr. Cogswell, chairman of the committee on federal relations, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
———, 1893. }

*Mr. President :*

Your committee on federal relations, to whom was referred house joint memorial No. 8, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do concur.

C. A. COGSWELL,  
Chairman.

Mr. Cogswell moved that the report be adopted, and that the senate concur in the adoption of house joint memorial No. 8.

Mr. Huston moved to amend by referring house joint memorial No. 8 to the committee on federal relations, with instructions to have the same printed.

The motion prevailed and the memorial was so referred.

Mr. Cogswell, chairman of the committee on federal relations, with leave to report at any time, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1893. }

*Mr. President :*

Your committee on federal relations, to whom was referred house joint memorial No. 7, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do concur.

C. A. COGSWELL,  
Chairman.

On motion of Mr. Cogswell, the report was adopted.

Mr. Cogswell moved that the senate concur in the adoption of house joint memorial No. 7.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Woodard, and Mr. President—28.

Absent—Messrs. Weatherford and Willis—2.

Mr. Willis absent on leave.

So the senate concurred in the adoption of house joint memorial No. 7.

By unanimous consent, Mr. Cogswell introduced senate resolution No. 20.

#### SENATE RESOLUTION NO. 20.

*Resolved*, That the calendar clerk is hereby instructed to enter in the calendar the substance of the committee's report upon each bill or resolution whenever the same has been reported upon by any standing or select committee.

On motion of Mr. Cogswell, the resolution was adopted.

Mr. McGinn, chairman of the committee of claims, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 18, 1893. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 2, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

HENRY E. MCGINN,  
Chairman.

On motion of Mr. McGinn, the report was adopted, and senate bill No. 2 was ordered engrossed and to third reading tomorrow.

Mr. McGinn, chairman of the committee on claims, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 18, 1893. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 27, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

HENRY E. MCGINN,  
Chairman.

On motion of Mr. McGinn, the report was adopted, and senate bill No. 27 was ordered engrossed and to third reading tomorrow.

Mr. Vanderburg, chairman of the committee on agriculture, submitted the following report:—



## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1893. }

*Mr. President:*

Your committee on agriculture, to whom was referred senate bill No. 60, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. S. VANDERBURG,  
Chairman.

On motion of Mr. Looney, senate bill No. 60 was ordered engrossed and to third reading to-morrow.

Mr. Vanderburg, chairman of the committee on agriculture, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1893. }

*Mr. President:*

Your committee on agriculture, to whom was referred senate bill No. 5, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. S. VANDERBURG,  
Chairman.

On motion of Mr. Cogswell, senate bill No. 5 was ordered engrossed and to third reading tomorrow.

Mr. Denny, chairman of the committee on labor, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 19, 1893. }

*Mr. President:*

Your committee on labor, to whom was referred senate bill No. 12, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

## AMENDMENT.

In section 1, line 1, after the word "whenever," insert "the business or property of any person, firm or."

## AMENDMENT.

In section 1, line 4, after the word "said," insert the words, "person, firm or."

## AMENDMENT.

In section 1, line 4, after the word "such," insert "person, firm or."

## AMENDMENT.

In section 1, line 6, after the word "said," insert the words, "person, firm or."

## AMENDMENT.

In section 1, line 10, after the word "such," insert "person, firm or."

## AMENDMENT.

In section 1, line 12, after the word "such," insert "person, firm or."

O. N. DENNY,  
Chairman.

Mr. Denny moved the adoption of the report.

Mr. Cogswell moved to amend the report by striking out the word "firm" in the report, and insert in lieu thereof the word "company."

Mr. Denny accepted the amendment, and the amendment as amended was adopted.

On motion of Mr. Myers, senate bill No. 12 was ordered engrossed and to third reading tomorrow.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 19, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 15, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

AMENDMENT.

Strike out all after the enacting clause and in lieu thereof insert the following:

Section 1. It shall be unlawful for any person, other than an officer on lawful business, being armed with a gun, pistol, or other firearm, to go or trespass upon any enclosed premises or lands without the consent of the owner or possessor thereof.

Section 2. It shall be unlawful for any person to shoot upon or from the public highway.

Section 3. It shall be unlawful for any person, being armed with a gun or other firearm, to cause, permit, or suffer any dog accompanying such person to go or enter upon any enclosed premises without the consent of the owner or possessor thereof.

Section 4. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not less than fifteen dollars nor more than fifty dollars, and in default of the payment of the fine imposed shall be committed to the county jail of the county in which the offense is committed, one day for every two dollars of the said fine; and it shall be lawful for the owner or possessor of such premises to catch or kill any dog trespassing as mentioned in section 3 of this act.

Section 5. Justices of the peace for the proper county shall have jurisdiction of the trial of offenses herein defined.

O. N. DENNY,  
Chairman.

Mr. Denny moved the adoption of the report.

Mr. Cogswell moved to amend by referring senate bill No. 15 to the committee on judiciary with instructions to have the same printed with the proposed amendment.

By unanimous consent, Mr. Vanderburg introduced senate concurrent resolution No. 14.

SENATE CONCURRENT RESOLUTION NO. 14.

Whereas the burdens of government have become oppressive, the laws cumbersome, of doubtful meaning and partial administration, the simplicity of our representative government—the ideal of our patriot fathers that their government should be of the people, by the people, and for the people—departed from; while corruption,

lawlessness, contempt of authority are wide-spread and rampant; therefore be it

*Resolved by the Senate, the House concurring,* That the initiative and the obligatory referendum should be made a part of the law of Oregon, through which, by the initiative, a number of legal voters equal to two per cent of the votes cast at the last preceding general election petitioning the legislature in favor of any proposed law, or the repeal of any law, the same being embodied in the petition, shall require the legislature to submit said proposed measure to a vote of the people for adoption or rejection, and by the obligatory referendum all acts, appropriations, and bills originating in the legislature are required to be submitted to a vote of the people for approval or rejection, the same principle also to be applied to the county courts and law-making bodies of all municipalities in Oregon.

Whereas it is desirable that the legislature should be advised as to the opinion of a majority of the voters on these questions; therefore, be it

*Resolved further,* That the governor of the state of Oregon be and he is hereby authorized and directed to cause to be submitted to the legal voters of the state of Oregon, at the next general election, the aforementioned questions, and shall cause to be printed on all the ballots printed for the next general election, the following words:

Initiative-----	} Yes. No.
Obligatory referendum-----	} Yes. No.

And the voters in each case may cancel the word "No," if in favor, and "Yes," if opposed, to the questions, voting in the same manner on each question.

Mr. Vanderburg moved the adoption of the resolution.

Mr. McGinn moved to lay the resolution on the table.

Messrs. Vanderburg and Huston called for the yeas and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Mr. McGinn—1.

Nays—Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—25.

Absent—Mr. Willis—1.

Not voting—Messrs. Alley, Dodson, and Maxwell—3.

Messrs. Alley, Dodson, and Maxwell were excused from voting.

Mr. Willis absent on leave.

The motion to lay on the table was lost.

On motion of Mr. Raley, senate concurrent resolution No. 14 was referred to the committee on federal relations, with instructions to have the same printed.

Senate bill No. 140. Mr. Denny. A bill for an act to amend section 3099 of the miscellaneous laws of Oregon, as compiled by W. Lair Hill, relating to the distribution of personal property.

Senate bill No. 140 was read first time.

Mr. Denny moved that the rules be suspended and that senate bill No. 140 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—29.

Absent—Mr. Willis—1.

So the rules were suspended and senate bill No. 140 was read second time by title only.

On motion of Mr. Denny, the bill was referred to the committee on judiciary.

Senate bill No. 141. Mr. Veatch. A bill for an act to prohibit the employment of non-residents as peace officers, and fixing a penalty.

Senate bill No. 141 was read first time.

Mr. Veatch moved that the rules be suspended and that senate bill No. 141 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—29.

Absent—Mr. Willis—1.

So the rules were suspended and senate bill No. 141 was read second time by title only.

On motion of Mr. Veatch, the bill was referred to the committee on judiciary.

Senate bill No. 142. Mr. Blackman. A bill for an act to amend section 2575 of Hill's annotated laws of Oregon, second edition, miscellaneous laws of 1892, as compiled and annotated by W. Lair Hill, pertaining to education.

Mr. Blackman moved that the rules be suspended and that senate bill No. 142 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—28.

Absent—Messrs. Butler and Willis—2.

So the rules were suspended and senate bill No. 142 was read first time by title only.

Mr. Blackman moved to further suspend the rules and read senate bill No. 142 the second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—29.

Absent—Mr. Willis—1.

So the rules were suspended and senate bill No. 142 was read second time by title only.

On motion of Mr. Blackman, the bill was referred to the committee on education.

Senate bill No. 143. Mr. Dodson. A bill for an act entitled an act to amend section 2243, chapter IV., title II., of the laws of Oregon, as compiled and annotated by W. Lair Hill.

Mr. Dodson moved that the rules be suspended and the bill read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—29.

Absent—Mr. Willis—1.

So the rules were suspended and senate bill No. 143 was read first time by title only.

Mr. Dodson moved that the rules be further suspended and that senate bill No. 143 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch,

Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Woodard, and Mr. President—28.

Absent—Mr. Willis—1.

Not voting—Mr. Veatch—1.

So the rules were suspended and senate bill No. 143 was read second time by title only.

On motion of Mr. Dodson, the bill was referred to the committee on counties.

Senate bill No. 144. Mr. Vanderburg. A bill for an act entitled an act to amend section 2364 of title II. of chapter XI. of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, and the act of 1891, filed in the office of the secretary of state, February 19, 1891.

Mr. Vanderburg moved that the rules be suspended and that senate bill No. 144 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—29.

Absent—Mr. Willis—1.

Mr. Willis absent on leave.

So the rules were suspended and senate bill No. 144 was read first time by title only.

Mr. Vanderburg moved to further suspend the rules and read senate bill No. 144 second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, and Mr. President—28.

Absent—Messrs. Willis and Woodard—2.

Mr. Willis absent on leave.

So the rules were suspended and senate bill No. 144 was read second time by title only.

On motion of Mr. Vanderburg, the bill was referred to the committee on counties.

Senate bill No. 145. Mr. Hayes. A bill for an act entitled an act to authorize county courts to offer rewards for the apprehension of criminals and fugitives from justice.

Senate bill No. 145 was read first time.



On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—28.

Absent—Messrs. Butler and Willis—2.

So the rules were suspended and senate bill No. 142 was read first time by title only.

Mr. Blackman moved to further suspend the rules and read senate bill No. 142 the second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—29.

Absent—Mr. Willis—1.

So the rules were suspended and senate bill No. 142 was read second time by title only.

On motion of Mr. Blackman, the bill was referred to the committee on education.

Senate bill No. 143. Mr. Dodson. A bill for an act entitled an act to amend section 2243, chapter IV., title II., of the laws of Oregon, as compiled and annotated by W. Lair Hill.

Mr. Dodson moved that the rules be suspended and the bill read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—29.

Absent—Mr. Willis—1.

So the rules were suspended and senate bill No. 143 was read first time by title only.

Mr. Dodson moved that the rules be further suspended and that senate bill No. 143 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch,



Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Woodard, and Mr. President—28.

Absent—Mr. Willis—1.

Not voting—Mr. Veatch—1.

So the rules were suspended and senate bill No. 143 was read second time by title only.

On motion of Mr. Dodson, the bill was referred to the committee on counties.

Senate bill No. 144. Mr. Vanderburg. A bill for an act entitled an act to amend section 2364 of title II. of chapter XI. of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, and the act of 1891, filed in the office of the secretary of state, February 19, 1891.

Mr. Vanderburg moved that the rules be suspended and that senate bill No. 144 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—29.

Absent—Mr. Willis—1.

Mr. Willis absent on leave.

So the rules were suspended and senate bill No. 144 was read first time by title only.

Mr. Vanderburg moved to further suspend the rules and read senate bill No. 144 second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, and Mr. President—28.

Absent—Messrs. Willis and Woodard—2.

Mr. Willis absent on leave.

So the rules were suspended and senate bill No. 144 was read second time by title only.

On motion of Mr. Vanderburg, the bill was referred to the committee on counties.

Senate bill No. 145. Mr. Hayes. A bill for an act entitled an act to authorize county courts to offer rewards for the apprehension of criminals and fugitives from justice.

Senate bill No. 145 was read first time.

Mr. Hayes moved to suspend the rules and read senate bill No. 145 second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—28.

Absent—Mr. Willis—1.

Not voting—Mr. Bancroft—1.

Mr. Willis absent on leave.

So the rules were suspended and senate bill No. 145 was read second time by title only.

On motion of Mr. Hayes, the bill was referred to the committee on judiciary.

Senate bill No. 146. Mr. Dodson. A bill for an act to amend sections 1, 2, 3, 7, 8, 10, and 11 of an act entitled an act to regulate the practice of pharmacy and the sale of poisons in the state of Oregon, passed by the legislative assembly of the state of Oregon on February 21, 1891, and to regulate the recovery of the several penalties prescribed in said act.

Mr. Dodson moved to suspend the rules and read senate bill No. 146 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—29.

Absent—Mr. Willis.

Mr. Willis absent on leave.

So the rules were suspended and senate bill No. 146 was read first time by title only.

Mr. Dodson moved to further suspend the rules and read senate bill No. 146 the second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—28.

Absent—Messrs. McGinn and Willis—2.

Mr. Willis absent on leave.

So the rules were suspended and senate bill No. 146 was read second time by title only.

On motion of Mr. Dodson, the bill was referred to the committee on judiciary.

Senate bill No. 147. Mr. Butler. A bill for an act to incorporate the town of Falls City, in Polk county, Oregon.

Mr. Butler moved to suspend the rules and read senate bill No. 147 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—29.

Absent—Mr. Willis—1.

Mr. Willis absent on leave.

So the rules were suspended and senate bill No. 147 was read first time by title only.

Mr. Butler moved to further suspend the rules and read senate bill No. 147 second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—29.

Absent—Mr. Willis—1.

Mr. Willis absent on leave.

So the rules were suspended and senate bill No. 147 was read second time by title only.

On motion of Mr. Butler, the bill was referred to the committee on corporations.

Senate bill No. 148. Mr. Myers (by request). A bill for an act to increase the rights of married women, and to repeal section 1127, page 722, and section 1108, page 716, of the laws of Oregon, as compiled and annotated by Wm. Lair Hill, so far as they conflict with the terms of this act.

Senate bill No. 148 was read first time.

Mr. Myers moved that the rules be suspended and that senate bill No. 148 be read the second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—28.

Absent—Mr. McAlister and Willis—2.

Mr. Willis absent on leave.

So the rules were suspended and senate bill No. 148 was read second time by title only.

On motion of Mr. Myers, the bill was referred to the committee on judiciary.

Senate bill No. 149. Mr. Huston (by request). A bill for an act entitled an act enabling foreign executors and administrators to sue in this state.

Mr. Huston moved that the rules be suspended and that senate bill No. 149 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—29.

Absent—Mr. Willis—1.

Mr. Willis absent on leave.

So the rules were suspended and senate bill No. 149 was read first time by title only and passed to second reading without question.

Senate bill No. 150. Mr. Butler (by request) A bill for an act to amend section 3 of an entitled an act to regulate the practice of medicine and surgery in the state of Oregon, as amended by an act amendatory thereof, filed in the office of the secretary of state, February 21, 1891; to repeal section 9 of said act entitled an act to regulate the practice of medicine and surgery in the state of Oregon.

Senate bill No. 150 was read first time and passed to second reading without question.

Senate bill No. 151. Mr. Butler. A bill for an act to repeal sections 67, 68, 69, 70, 71, and 93 of an act entitled "An act to incorporate the city of Dallas, in the county of Polk, and state of Oregon, and to repeal all acts prior thereto," filed in the office of the secretary of state, February 18, 1891.

Senate bill No. 151 was read first time and passed to second reading without question.

Senate bill No. 152. Mr. Vanderburg. A bill for an act to regulate the rights of employers and employés, and to protect the rights of laborers and business men.

Senate bill No. 152 was read first time and passed to second reading without question.

Senate bill No. 153. Mr. Beckley. A bill for an act to amend an act entitled an act to incorporate the city of Oakland, and repeal an act entitled an act to incorporate the town of Oakland, approved October 17, 1878; and also an act entitled an act to amend an act to amend an act entitled an act to incorporate the town of Oakland, approved October 19, 1880; and also an act entitled an act to amend an act entitled an act to incorporate the town of Oakland, approved February 14, 1887, and to amend section 7 of article VI. thereof, said act being filed with secretary of state February 25, 1889.

Senate bill No. 153 was read first time and passed to second reading without question.

Senate bill No. 154. Mr. Fulton. A bill for an act to authorize the construction of bridges across Young's bay or river, and Lewis and Clarke river, in Clatsop county, state of Oregon.

Senate bill No. 154 was read first time.

Mr. McGinn moved to suspend the rules and read senate bill No. 154 the second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—27.

Absent—Messrs. Dodson, McAlister, and Willis—3.

Mr. Willis absent on leave.

So the rules were suspended and senate bill No. 154 was read second time by title only.

There being no objection, the bill was referred to the committee on judiciary.

#### COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE,  
SALEM, Oregon,  
January 23, 1893.

*To the Honorable the Senate of the Legislative Assembly of the State of Oregon:* I have the honor herewith to return to the senate, senate bill No. 190 of the sixteenth biennial session of the legislative

assembly, which was filed in this office February 21, 1891, together with the objections of the governor thereto.

I have the honor to be, very respectfully,

Your obedient servant,

GEO. W. McBRIDE,  
Secretary of State.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE OFFICE, }  
SALEM, Oregon, }  
February 21, 1891. }

*To the Honorable the Senate of the State of Oregon:* I herewith return senate bill No. 190 with my disapproval. This is a duplicate of house bill No. 179, which has already been enacted at this session. I veto the bill.

SYLVESTER PENNOYER,  
Governor.

Senate bill No. 190, accompanying the foregoing message, was read, and on motion of Mr. Weatherford, was referred to the committee on judiciary.

Senate bill No. 66 coming on for second reading, was read second time.

On motion of Mr. Steiwer, the bill was referred to the committee on counties.

Senate bill No. 68 coming on for second reading, was read second time.

On motion of Mr. Vanderburg, the bill was referred to the committee on corporations.

Senate bill No. 70 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on judiciary.

On motion of Mr. Blackman, the courtesies of the senate were extended to Hon. J. H. Hamilton, and he was invited to a seat within the bar of the senate.

Senate bill No. 71 coming on for second reading, was read second time.

On motion of Mr. Cross, the bill was referred to the committee on judiciary.

Senate bill No. 72 coming on for second reading, was read second time.

On motion of Mr. Dodson, the bill was referred to the committee on mining.

Senate bill No. 73 coming on for second reading, was read second time.

On motion of Mr. Maxwell, the bill was ordered engrossed and to third reading tomorrow.

Senate bill No. 74 coming on for second reading, was read second time.

On motion of Mr. Dodson, the bill was referred to the committee on counties.

Senate bill No. 75 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on assessments.

On motion of Mr. McGinn, the motion by which senate bill No. 75 was referred to the committee on assessments was reconsidered.

On motion of Mr. Cogswell, senate bill No. 75 was laid on the table.

Senate bill No. 76 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on judiciary.

Senate bill No. 77 coming on for second reading, was read second time.

On motion of Mr. McGinn, the bill was referred to a special committee consisting of the senators from Multnomah county, with leave to report at any time.

Senate bill No. 78 coming on for second reading, was read second time.

On motion of Mr. Gates, the bill was referred to the committee on judiciary.

Senate bill No. 79 coming on for second reading, was read second time.

On motion of Mr. McGinn, the bill was referred to a special committee consisting of the senators from Multnomah county, with leave to report at any time.

Senate bill No. 80 coming on for second reading, was read second time.

On motion of Mr. Blackman, the bill was referred to the committee on judiciary.

Senate bill No. 81 coming on for second reading, was read second time.

On motion of Mr. Dodson, the bill was referred to the committee on judiciary.

Senate bill No. 82 coming on for second reading, was read second time.



On motion of Mr. Woodard, the bill was referred to the committee on judiciary.

Senate bill No. 83 coming on for second reading, was read second time.

On motion of Mr. Alley, the bill was referred to the committee on corporations.

Senate bill No. 84 coming on for second reading, was read second time.

On motion of Mr. Weatherford, the bill was referred to the committee on judiciary.

On motion of Mr. Myers, the courtesies of the senate were extended to Hon. D. R. Murphy, and he was invited to a seat within the bar of the senate.

Senate bill No. 85 coming on for second reading, was read second time.

On motion of Mr. Butler, the bill was referred to the committee on judiciary.

Senate bill No. 87 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on elections.

Senate bill No. 89 coming on for second reading, was read second time.

On motion of Mr. Woodard, the bill was referred to the committee on elections.

Senate bill No. 90 coming on for second reading, was read second time.

On motion of Mr. Steiwer, the bill was referred to the committee on public lands.

Senate bill No. 91 coming on for second reading, was read second time.

On motion of Mr. Cogswell, the bill was referred to the committee on judiciary.

Senate bill No. 92 coming on for second reading, was read second time.

On motion of Mr. Vanderburg, the bill was referred to the committee on assessments.

Senate bill No. 93 coming on for second reading, was read second time.

On motion of Mr. Raley, the bill was referred to a special committee consisting of the senators from Umatilla county.

Senate bill No. 94 coming on for second reading, was read second time.



On motion of Mr. Alley, the bill was referred to the committee on judiciary.

Senate bill No. 95 coming on for second reading, was read second time.

On motion of Mr. Alley, the bill was referred to the committee on judiciary.

Senate bill No. 96 coming on for second reading, was read second time.

On motion of Mr. Raley, the bill was referred to the committee on education.

Senate bill No. 98 coming on for second reading, was read second time.

On motion of Mr. Veatch, the bill was referred to the committee on railroads.

Senate bill No. 99 coming on for second reading, was read second time.

Mr. Cogswell moved to refer the bill to the committee on agriculture.

Mr. Raley moved to amend by referring the bill to the committee on roads and highways.

The amendment was adopted, and the motion to refer to the committee on roads and highways prevailed, and the bill was so referred.

Senate bill No. 155. Mr. McGinn. (By unanimous consent.) A bill for an act to amend section 24 of an act entitled an act to authorize the cities of Portland, East Portland, and Albina to construct, purchase, or acquire by condemnation or other means, one or more bridges across the Willamette river, between the city of Portland and the city of East Portland, in Multnomah county, Oregon, which bridge or bridges shall forever be free to all pedestrians and all classes of vehicles and traffic, except railways and street railways, that passed the house February 2, 1891, and passed the senate, February 12, 1891.

Senate bill No. 155 was read first time and passed to second reading without question.

Senate bill No. 100 coming on for second reading, was read second time.

On motion of Mr. McGinn, the bill was referred to the committee on assessments, with leave to report at any time.

Senate bill No. 101 coming on for second reading, was read second time.

On motion of Mr. Weatherford, the bill was referred to the committee on education, with leave to report at any time.

Senate bill No. 102 coming on for second reading, was read second time.

On motion of Mr. Raley, the bill was referred to the committee on railroads.

Senate bill No. 107 coming on for second reading, was read second time.

On motion of Mr. Hayes, the bill was referred to the committee on judiciary.

Senate bill No. 108 coming on for second reading, was read second time.

On motion of Mr. Myers, the bill was referred to the committee on fishing industries.

Senate bill No. 109 coming on for second reading, was read second time.

On motion of Mr. Blackman, the bill was referred to the committee on education.

Senate bill No. 110 coming on for second reading, was read second time.

On motion of Mr. Myers, the bill was referred to the committee on claims.

Senate bill No. 111 coming on for second reading, was read second time.

On motion of Mr. Dodson, the bill was referred to the committee on judiciary.

Senate bill No. 112 coming on for second reading, was read second time.

On motion of Mr. Veatch, the bill was referred to the committee on railroads.

Senate bill No. 113 coming on for second reading, was read second time.

On motion of Mr. Huston, the bill was referred to the committee on assessments.

Senate bill No. 114 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on claims.

Senate bill No. 115 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on judiciary.

Mr. Cogswell submitted the following amendment, which was also referred to the committee:—

#### AMENDMENT.

I move to amend by striking out the words "by the act of defendant" on line 9 of page 1, printed bill, and insert in lieu thereof the words "without any fault on part of plaintiff."

Senate bill No. 116 coming on for second reading, was read second time.

On motion of Mr. Woodard, the bill was referred to the committee on counties.

Senate bill No. 118 coming on for second reading, was read second time.

On motion of Mr. Myers, the bill was referred to the committee on assessments.

Senate bill No. 119 coming on for second reading, was read second time.

On motion of Mr. Crosno, the bill was referred to the committee on counties.

Mr. Crosno, by unanimous consent, presented petitions and remonstrances relative to senate bill No. 119, and they were referred to committee on counties.

Senate bill No. 121 coming on for second reading, was read second time.

On motion of Mr. Myers, the bill was referred to the committee on federal relations.

Senate bill No. 122 coming on for second reading, was read second time.

On motion of Mr. Willis, the bill was referred to a select committee consisting of the senators from Multnomah county.

Senate bill No. 123 coming on for second reading, was read second time.

On motion of Mr. Cross, the bill was referred to the committee on judiciary.

Senate bill No. 127 coming on for second reading, was read second time.

On motion of Mr. Butler, the bill was ordered engrossed and to third reading tomorrow.

Senate bill No. 128 coming on for second reading, was read second time.

On motion of Mr. Cross, the bill was referred to the committee on judiciary.

Senate bill No. 129 coming on for second reading, was read second time.

On motion of Mr. Butler, the bill was referred to the committee on judiciary.

Senate bill No. 130 coming on for second reading, was read second time.

On motion of Mr. Hayes, the bill was referred to the committee on judiciary.

Senate bill No. 156. Mr. Weatherford. (By unanimous con-

sent.) A bill for an act to amend section 9 of an act entitled an act to incorporate the town of Sodaville, in Linn county, Oregon, approved October 25, 1880.

Senate bill No. 156 was read first time.

Mr. Weatherford moved that the rules be suspended and that senate bill No. 156 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Crosno, McGinn, and Raley—3.

So the rules were suspended and senate bill No. 156 was read second time by title only.

Mr. Weatherford moved that the rules be suspended and that senate bill No. 156 be considered engrossed and to third reading tomorrow.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Crosno, Maxwell, and McGinn—3.

So the rules were suspended and senate bill No. 156 was considered engrossed and ordered to third reading tomorrow.

The president appointed as the committee on the part of the senate under house concurrent resolution No. 18, Senators Hayes and Smith.

Senate bill No. 157. Mr. Denny. (By unanimous consent.) A bill for an act to amend sections 1927 and 1928 of chapter VIII. of title II. of the general laws of Oregon, as compiled and annotated by W. Lair Hill.

Senate bill No. 157 was read the first time.

Mr. Denny moved that the rules be suspended and that senate bill No. 157 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Crosno, Maxwell, and McGinn—3.

So the rules were suspended and senate bill No. 157 was read second time by title only.

On motion of Mr. Denny, the bill was referred to the committee on judiciary.

Senate bill No. 158. Mr. Cross. (By unanimous consent.) A bill for an act to incorporate the city of Oregon City, and to repeal all acts and parts of acts in conflict therewith, to wit: An act to incorporate Oregon City, passed the house January 15, 1859, and passed the council January 17, 1859; an act to define the powers and limit the liability of Oregon City, approved October 25, 1866; also an act filed in the office of the secretary of state, February 25, 1889; and an act entitled an act to incorporate the city of Oregon City, and to repeal all acts and parts of acts in conflict therewith, and filed in the office of the secretary of state, February 18, 1891.

Mr. Cross moved that the rules be suspended and that senate bill No. 158 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vandenburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Crosno, Maxwell, and McGinn—3.

So the rules were suspended and senate bill No. 158 was read first time by title only.

Mr. Cross moved to further suspend the rules and read senate bill No. 158 second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vandenburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—26.

Absent—Messrs. Alley, Crosno, Maxwell, and McGinn—4.

So the rules were suspended and senate bill No. 158 was read second time by title only.

On motion of Mr. Cross, the bill was referred to a special committee consisting of the senators from Clackamas county.

Senate bill No. 159. Mr. Willis. (By unanimous consent.) A bill for an act to provide for the satisfaction of mortgages when foreclosed.

Senate bill No. 159 was read first time.

Mr. Willis moved that the rules be suspended and that senate bill No. 159 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Crosno, Maxwell, and McGinn—3.

So the rules were suspended, and senate bill No. 159 was read second time by title only.

On motion of Mr. Willis, the bill was referred to the committee on judiciary.

Mr. Dodson, member of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 67, 12, 5, 60, 2, 38, 27, and 9, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

Senate bill No. 160. Mr. Beckley. (By unanimous consent.) An act to incorporate the town of Myrtle Creek in Douglas county, Oregon.

Senate bill No. 160 was read first time and passed to second reading without question.

Senate bill No. 9 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Nays—None.

Absent—Mr. McGinn—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 38 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Nays—None.

Absent—Mr. McGinn—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 67 coming on for third reading, was read third time.

On motion of Mr. Weatherford, senate bill No. 67 was considered as on second reading.

Mr. Weatherford submitted the following amendment:—

#### AMENDMENT.

That section 2 be amended so as to read as follows:

Section 2. This act shall take effect and go in force on the first Monday in July, 1894.

On motion of Mr. Weatherford, the amendment was adopted.

The chief clerk was requested to correct the bill as amended.

The bill was so amended.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Nays—None.

Absent—Messrs. Hirsch and McGinn—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 2 coming on for third reading, was read third time.

Mr. Huston moved that senate bill No. 2 be referred to the committee on judiciary for amendment, with leave to report at any time.

Mr. Blackman and Mr. Huston demanded the yeas and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Beckley, Cameron, Huston, Looney, Weatherford, and Woodard—7.

Nays—Messrs. Bancroft, Blackman, Butler, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, and Mr. President—22.

Absent—Mr. McGinn—1.

The motion to refer was lost.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Dodson, Gates, Hirsch, Matlock, Maxwell, McAlister, Raley, and Woodard—14.

Nays—Messrs. Alley, Beckley, Cross, Denny, Hayes, Huston, Looney, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Mr. President—15.

Absent—Mr. McGinn.

Mr. McGinn absent on leave.

So the bill failed to pass.

On motion of Mr. Cogswell, the courtesies of the senate were extended to Hon. E. T. Hatch, collector of customs for Alaska, and he was invited to a seat within the bar of the senate.

Senate bill No. 5 coming on for third reading, was read third time.

By unanimous consent, senate bill No. 5 was considered as on second reading.

On motion of Mr. Weatherford, senate bill No. 5 was referred to the committee on federal relations, with leave to report at any time.

On motion of Mr. Hayes, the courtesies of the senate were extended to Hon. George C. Brownell, and he was invited to a seat within the bar of the senate.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 24, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has



passed house bill No. 49,—a bill for an act to incorporate the city of Cottage Grove, Lane county, state of Oregon, and to repeal "An act entitled an act to incorporate the town of Cottage Grove, Lane county, state of Oregon," filed in the office of the secretary of state, February 11, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 24, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 19,—a bill for an act to incorporate the town of Riddle, Douglas county, state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 24, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 25, directing the secretary of state to procure and hoist national flags over state house during this session, etc.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 25.

*Resolved by the House, the Senate concurring,* That the secretary of state be and he is hereby directed to procure and hoist above the north and south wings of this state house a national flag, and that he cause the same to be kept hoisted during the session of this legislature and on all public occasions and state and national holidays hereafter.

On motion of Mr. Huston, the senate concurred.

On motion of Mr. Veatch, the senate adjourned.

## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1893. }

The senate was called to order by the president at 2 o'clock P. M.  
The roll was called, and all the senators were present except Messrs. Butler, Hayes, and McGinn.

Mr. McGinn absent on leave.

On motion of Mr. Huston, the courtesies of the senate were extended to Hon. Thos. McClallan, and he was invited to a seat within the bar of the senate.

On motion of Mr. Hirsch, the courtesies of the senate were extended to ex-Representative Cranston, and he was invited to a seat within the bar of the senate.

On motion of Mr. Baucroft, the courtesies of the senate were extended to Captain John O'Brien, state printing expert, and he was invited to a seat within the bar of the senate.

Mr. Steiwer, chairman of the committee on internal improvements, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1893. }

*Mr. President:*

Your committee on internal improvements, to whom was referred senate bill No. 53, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. W. STEIWER,  
Chairman.

Mr. Steiwer moved that senate bill No. 53 be ordered engrossed and to third reading tomorrow.

Mr. Cogswell moved to refer to the committee on railroads.

Lost.

Mr. Raley moved to amend by making senate bill No. 53 a special order for tomorrow at 2 o'clock.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Butler, Crosno, Cross, Denny, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith,

Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—22.

Nays—Messrs. Alley, Bancroft, Cameron, Cogswell, Dodson, Gates, and Hayes—7.

Absent—Mr. McGinn—1.

The motion prevailed, and senate bill No. 53 was ordered engrossed, and made a special order for tomorrow at 2 o'clock.

Mr. Cogswell moved that when the senate adjourn it adjourn to meet tomorrow at 2 o'clock.

The motion prevailed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 24, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 14,—a bill for an act to incorporate the town of Klamath Falls, Oregon, and to repeal an act entitled an act to incorporate the town of Linkville, Oregon, filed in the office of secretary of state, February 25, 1889, and also an act entitled an act to amend sections 4 and 8 of an act entitled an act to incorporate the town of Linkville, Oregon, filed in the office of the secretary of state, February 18, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

By unanimous consent, Mr. Bancroft introduced senate resolution No. 21.

#### SENATE RESOLUTION NO. 21.

*Resolved,* That the sergeant-at-arms be authorized to procure five dollars' worth of two cent stamps for each of the state senators.

Mr. Baucroft moved the adoption of the resolution.

The senate refused to adopt.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 24, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 9, authorizing and directing the

secretary of state to furnish an edition of twenty-five thousand copies of second biennial report of the state board of horticulture, etc.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

HOUSE JOINT RESOLUTION NO. 9.

Whereas the state board of horticulture, in its second biennial report to this legislative assembly, recommend and ask that, in view of the importance of some representation of our fruit interests at the World's Columbian Exposition at Chicago, in 1893, that ten thousand copies of its second biennial report be printed and placed at its disposal for distribution at that exposition, and that ten thousand copies be printed and placed at its disposal for distribution among the fruit-growers of this state, making in all twenty thousand copies; and whereas the said board caused to be published, at its own expense, an edition of ten thousand copies of its first biennial report, all of which edition was distributed among the fruit-growers of this state, and in exchange with kindred boards throughout the United States, and which number was not sufficient to supply the demand upon the board for them; and whereas the second biennial report is replete with valuable information concerning the fruit-growing interests of the entire state, treating as it does in full and comprehensive manner on the best methods of exterminating the various pests that now infest our orchards, also on the best methods of selecting, planting, cultivating, preparing, and marketing of fruits, and which information should be widely disseminated among the horticulturists and farmers of this state in the interests of this great and valuable commercial industry; therefore, be it

*Resolved by the House, the Senate concurring,* That the secretary of state be and is hereby required to furnish at the earliest practicable moment an edition of twenty-five thousand copies of the second biennial report of the said state board of horticulture, and to deliver to the secretary of said board all of said edition, with the exception of sufficient copies to meet the demand on him and the other departments of the state from people abroad who are contemplating removal to Oregon, and who are continually applying to these departments for information relative to Oregon as a fruit-producing state, and which information is so well presented in the aforesaid reports.

On motion of Mr. Weatherford, further consideration was indefinitely postponed.

Senate bill No. 12 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Nays—None.

Absent—Mr. McGinn—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 60 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McAlister, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—22.

Nays—Messrs. Beckley, Cogswell, Cross, Matlock, Myers, Veatch, and Weatherford—7.

Absent—Mr. McGinn—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 27 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Butler, Beckley, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—26.

Nays—Messrs. Cross, Raley, and Willis—3.

Absent—Mr. McGinn—1.

So the bill passed.

Mr. Cogswell asked unanimous consent to amend the title of the

bill by inserting the word "after" between the words "days" and "notice."

Consent was granted, and the title was so amended.

There being no objection, the title of the bill as amended was ordered to stand as the title of the act.

By unanimous consent, Mr. Denny, chairman of the committee on judiciary, submitted the following reports:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 14, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

O. N. DENNY,  
Chairman.

On motion of Mr. Cross, senate bill No. 14 was referred to the committee on claims.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 45, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

#### AMENDMENT.

Section 1, line 7, printed bill, the word "four" be substituted for "three," so as to read "period of four weeks."

#### AMENDMENT.

Section 4, lines 9 and 10, the words "in the progress of selecting a jury in any cause" shall be stricken out.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Willis, senate bill No. 45 was ordered engrossed and to third reading tomorrow.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1893. }

*Mr. President :*

Your committee on judiciary, to whom was referred senate bill No. 190 of the session of 1891, which his excellency, Governor Pennoyer, returns with his veto, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that no action is necessary, for, as his excellency states, it is a duplicate of house bill No. 179, that passed both houses, and was approved by the governor at the session of 1891.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

House bill No. 20 was read first time and passed to second reading without question.

House bill No. 49 was read first time and passed to second reading without question.

House bill No. 87 was read first time and passed to second reading without question.

House bill No. 19 was read first time.

Mr. Beckley moved that the rules be suspended and that house bill No. 19 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, McAlister, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Mr. President—24.

Absent—Messrs. Blackman, Hayes, Maxwell, McGinn, Myers, and Woodard—6.

So the rules were suspended and house bill No. 19 was read second time by title only.

On motion of Mr. Beckley, the bill was ordered to third reading tomorrow.

House bill No. 14 was read first time.

Mr. Cogswell moved that the rules be suspended and that house bill No. 14 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Maxwell, McGinn, and Myers—3.

So the rules were suspended and house bill No. 14 was read second time by title only.

Mr. Cogswell moved that the rules be further suspended and that house bill No. 14 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—25.

Absent—Messrs. Crosno, McGinn, Myers, Raley, and Veatch—5.

So the rules were suspended and house bill No. 14 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—25.

Nays—None.

Absent—Messrs. Crosno, Denny, Maxwell, McGinn, and Weatherford—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Hirsch, the courtesies of the senate were extended to Hon. T. W. Davenport, and he was invited to a seat within the bar of the senate.

Senate bill No. 161. Mr. Cogswell. (By unanimous consent.) A bill for an act to create the county of Hamilton and fix the salaries of county judge and treasurer thereof.

Senate bill No. 161 was read first time and passed to second reading without question.

House bill No. 15 was read first time.



Mr. Myers moved that the rules be suspended and that house bill No. 15 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—26.

Absent—Messrs. Crosno, Maxwell, McGinn, and Weatherford—4.

So the rules were suspended and house bill No. 15 was read second time by title only.

Mr. Myers moved that the rules be further suspended and that house bill No. 15 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—26.

Absent—Messrs. Crosno, Maxwell, McGinn, and Weatherford—4.

So the rules were suspended and house bill No. 15 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—None.

Absent—Messrs. Crosno, Maxwell, and McGinn—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 162. Mr. McAlister. (By unanimous consent.) A bill for an act to place Umatilla county in the first instead of the second Eastern Oregon agricultural district, and to amend section 4 of an act entitled an act to create and aid Eastern Oregon district agricultural societies, and to define their duties, and appropriate money therefor, approved February 20, 1889.

Senate bill No. 162 was read first time.

Mr. McAlister moved that the rules be suspended and senate bill No. 162 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Steiwer, Veatch, Weatherford, Willis, Woodard, and Mr. President—24.

Absent—Messrs. Denny, Maxwell, McGinn, Raley, Smith, and Vanderburg—6.

So the rules were suspended and senate bill No. 162 was read second time by title only.

On motion of Mr. McAlister the bill was referred to the committee on agriculture.

Senate bill No. 163. Mr. Cross, by request. (By unanimous consent.) A bill for an act to amend section 1867 of title II., chapter VII., of the criminal code of Oregon, as compiled and annotated by W. Lair Hill.

Senate bill No. 163 was read first time.

Mr. Cross moved that the rules be suspended and that senate bill No. 163 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—24.

Absent—Messrs. Butler, Crosno, Denny, Maxwell, McGinn, and Weatherford—6.

So the rules were suspended and senate bill No. 163 was read second time by title only.

On motion of Mr. Cross, the bill was referred to the committee on judiciary, with leave to report at any time.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 24, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 56,—a bill for an act entitled an act to amend sections 2343 and 2364 of chapter XI., title I., of Hill's annotated laws of Oregon; and section 2370 of chapter XI., title II., of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. Raley, the senate adjourned.

O. P. MILLER,  
Chief clerk.

WEDNESDAY, JANUARY 25, 1893.

AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1893. }

The senate was called to order by the president at 2 o'clock P. M. The roll was called, and the absentees were Senators McGinn and Weatherford, who were absent on leave.

The president appointed as the committee on the part of the senate under senate concurrent resolution No. 12, to investigate and report on the Torrens system of real estate transfers, Senators Woodard and Raley.

The committee on engrossed bills submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 73, 93, 53, 127, and 45, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

This being the hour set apart for the consideration of senate bill No. 53, the same was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Denny, Hirsch, Matlock, McAlister, Raley, Smith, Steiwer, Willis, Woodard, and Mr. President—11.

Nays—Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogs-

well, Crosno, Cross, Dodson, Gates, Hayes, Huston, Looney, Maxwell, Myers, Vanderburg, and Veatch—17.

Absent—Messrs. McGinn and Weatherford—2.

So the bill failed to pass.

By unanimous consent, Mr. Cogswell, chairman of the committee on federal relations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1893. }

*Mr. President:*

Your committee on federal relations, to whom was referred senate bill No. 5, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the clerk be instructed to strike out the words "provided before record" on lines 3 and 4 of section 5, printed bill, and insert in lieu thereof the words "recorded as provided."

C. A. COGSWELL,  
Chairman.

On motion of Mr. Cogswell, the report was adopted, and the chief clerk made the correction in the bill.

Senate bill No. 5 having been read the third time, the question was, "Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, Myers, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—23.

Nays—Messrs. Beckley, Huston, Raley, Smith, and Veatch—5.

Absent—Messrs. McGinn and Weatherford—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Alley moved that the vote by which the consideration of house joint resolution No. 9 was indefinitely postponed be reconsidered.

Messrs. Veatch and Vanderberg called for the ayes and noes.

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, Steiwer, Willis, Woodard, and Mr. President—20.

Nays—Messrs. Beckley, Cross, Huston, Myers, Raley, Smith, Vanderburg, and Veatch—8.

Absent—Messrs. McGinn and Weatherford—2.

So the vote was reconsidered.

Mr. Alley moved that the senate do now concur in the adoption of the resolution.

Mr. Huston moved to refer the resolution to the committee on internal improvements.

Lost.

Mr. Veatch moved to amend the resolution by striking out "twenty-five thousand copies" and insert in lieu thereof the words "five thousand copies."

Amendment lost.

The motion being to concur in the adoption of the resolution, the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, Steiwer, Willis, Woodard, and Mr. President—20.

Nays—Messrs. Cogswell, Cross, Huston, Myers, Raley, Smith, Vanderburg, and Veatch—8.

Absent—Messrs. McGinn and Weatherford—2.

So the senate concurred in the adoption of house joint resolution No. 9.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house joint memorials Nos. 1 and 7.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house joint resolution No. 5.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 119,—a bill for an act entitled an act to amend an act entitled an act to incorporate the city of Athena, in Umatilla county, state of Oregon, and to define the powers thereof, and to repeal an act entitled "An act to incorporate the city of Athena, in Umatilla county, Oregon, and to define the powers thereof," filed in the office of the secretary of state, February 20, 1889.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 38,—an act to incorporate Milton City in Umatilla county, Oregon, and to define the powers thereof, and to repeal an act entitled an act to incorporate Milton City in Umatilla county, Oregon, and to define the powers thereof, and to repeal an act entitled an act to incorporate Milton City, filed in the office of the secretary of state, February 18, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 2,—a bill for an act to amend section 4136,

title IV. of chapter LXXVI. of the miscellaneous laws, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 24, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 32,—a bill for an act entitled an act to amend the charter of the city of Myrtle Point, in the county of Coos, and state of Oregon; to authorize the said town to issue bonds for the construction of a system of water works, for the use of the inhabitants of said town or city for fire and domestic purposes; to provide for the lighting of the said city with gas or electricity; for sewerage purposes, and for the improvements of streets and highways.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 24, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 4,—a bill for an act to authorize and provide for the construction of a fishway over the falls of the Willamette river at Oregon City, and to appropriate money therefor.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

The president announced he was about to sign house joint memorial No. 1, house joint memorial No. 7, and house joint resolution No. 5, and soon thereafter announced he had signed them.

House bill No. 19 coming on for third reading was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President — 27.

Nays—None.

Absent—Messrs. McGinn, Myers, and Weatherford—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Denny, chairman of the committee on judiciary, submitted the following reports:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 15, as amended by the senate, re-referred to the judiciary committed and ordered printed, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the amendment that has been incorporated in the reprinted bill as adopted by the senate.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report and amendment was adopted. Senate bill No. 15 was ordered engrossed and to third reading tomorrow.

On motion of Mr. Alley, the courtesies of the senate were extended to Hon. S. H. Friendly, and he was invited to a seat within the bar of the senate.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 37, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.



On motion of Mr. Denny, senate bill No. 37 was ordered engrossed and to third reading tomorrow.

On motion of Mr. Looney, the courtesies of the senate were extended to Hon. M. L. Chamberlain, and he was invited to a seat within the bar of the senate.

### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 46, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

### AMENDMENT.

In section 1, line 1, strike out the word "ten" and insert "sixteen" in lieu thereof (in second line of original bill).

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Denny, senate bill No. 46 was ordered engrossed and to third reading tomorrow.

### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 44, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, senate bill No. 44 was ordered engrossed and to third reading tomorrow.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 42, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, senate bill No. 42 was ordered engrossed and to third reading tomorrow.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 23, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass for the following reason: The subject matter is already covered by existing statute. (See section 3054, Hill's annotated code.)

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Cogswell, the further consideration of senate bill No. 23 was indefinitely postponed.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 54, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be referred to the committee on assessments.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

Senate bill No. 54 was referred to the committee on assessments.

Mr. Cameron, chairman of the committee on corporations, submitted the following reports:—

### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1893. }

*Mr. President:*

Your committee on corporation, to whom was referred senate bill No. 56, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, senate bill No. 56 was ordered engrossed and to third reading tomorrow.

### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 69, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, senate bill No. 69 was ordered engrossed and to third reading tomorrow.

### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 83, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Section 48, page 9, third line, to read after the word "exceed," "one half of."

## AMENDMENT.

Chapter VIII., page 16, section 49, strike out lines 5, 6, 7, 8, 9, to the word "No." Also after the word "No," strike out the word "other," leaving it to read: "No exemption shall be made except as may be prescribed by the general laws of the state."

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, the report was adopted.

On motion of Mr. Alley, senate bill No. 83 was ordered engrossed and to third reading tomorrow.

On motion of Mr. Gates, the courtesies of the senate were extended to Judge Stott, and he was invited to a seat within the bar of the senate.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 28, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Strike out all after the word "corporation" in line 2, section 5 of article I., to and including the word "householder," in line 3, said section.

## AMENDMENT.

Strike out the word "fifteen" in section 2 of article XII., and insert the word "ten."

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, the report was adopted.

On motion of Mr. Cameron, senate bill No. 28 was ordered engrossed and to third reading tomorrow.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 26, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

Chapter III., page 3, section 12, after the word "election" in third line, strike out the remainder of the section.

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, the report was adopted.

On motion of Mr. Alley, senate bill No. 26 was ordered engrossed and to third reading tomorrow.

Mr. Dodson, chairman of the committee on counties, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

Your committee on counties, to whom was referred bill No. 116, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. M. DODSON,  
Chairman.

On motion of Mr. Cross, further consideration of senate bill No. 116 was indefinitely postponed.

Mr. Crosno, chairman of the committee on education, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

Your committee on education, to whom was referred senate bill

No. 97, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. B. CROSNO,  
Chairman.

On motion of Mr. Crosno, senate bill No. 97 was ordered engrossed and to third reading tomorrow.

Mr. Crosno, chairman of the committee on education, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 101, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

#### AMENDMENT.

Insert the word "take" between the word "shall" and the word "effect" in line 10 of section 1 of printed bill.

C. B. CROSNO,  
Chairman.

On motion of Mr. Crosno, the report was adopted, and senate bill No. 101 was ordered engrossed and to third reading tomorrow.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate joint resolution No. 1, beg leave to report the same back to the senate as correctly engrossed.

P. P. GATES,  
Chairman.

Mr. Cross, chairman of the committee on roads and highways, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1893. }

*Mr. President :*

Your committee on roads and highways, to whom was referred senate bill No. 51, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

## AMENDMENT.

In section 1, line one, strike out the figures "4075" and insert "4085."

## AMENDMENT.

In subdivision 4, line 29, after the word "in," strike out the following: "counties containing six thousand inhabitants" and insert "any county of the state."

## AMENDMENT.

In line 30, strike out the words "in the state."

## AMENDMENT.

In line 53, after the words "located," strike out the following: "unless the approval of such roadmaster be endorsed in writing upon the petition filed for such purpose," and insert the following: "until a report as to the advisability and practicability of such road is first made and filed by such roadmaster."

H. E. CROSS,  
Chairman.

On motion of Mr. Cross, the report was adopted, and senate bill No. 51 was ordered engrossed.

Mr. Cogswell submitted the following amendment:—

## AMENDMENT.

Strike out all after the word "purpose," in line 54, page 3, of printed bill.

On motion of Mr. Cogswell, the amendment was adopted.

On motion of Mr. Huston, the courtesies of the senate were

extended to Hon. Thos. H. Tongue, and he was invited to a seat within the bar of the senate.

Mr. Hayes, chairman of the committee on railways and transportation, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

Your committee on railways and transportation, to whom was referred senate bill No. 22, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

AMENDMENT.

That section 1 be amended so as to read as follows:

Section 1. Any person who shall willfully or maliciously place any obstruction on any railroad track, or roadbed, or street car track, in the state of Oregon, or who shall, without the right so to do, loosen, tear up, remove, or misplace any rail, switch, frog, guard-rail, cattle-guard, or any part of such railroad track, or roadbed, or street car track, or who shall, in any manner, so as to endanger the safety of any train, car or engine, or so as to endanger or injure any passenger or person riding thereon, tamper with or molest any such road, roadbed, track, signal flag, or signal torpedo, shall, upon conviction thereof, be punished by imprisonment in the penitentiary not exceeding ten years, or by imprisonment in the county jail not exceeding one year.

G. E. HAYES,  
Chairman.

On motion of Mr. Hayes, the report was adopted.

On motion of Mr. Hayes, senate bill No. 22 was ordered engrossed and to third reading tomorrow.

Senate bill No. 164. Mr. Denny. (By unanimous consent.) A bill for an act to amend an act entitled "An act to protect hotel-keepers, inn-keepers, and boarding-house keepers," approved February 25, 1889.

Senate bill No. 164 was read first time.

Mr. Denny moved that the rules be suspended and that senate bill No. 164 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:



Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—28.

Absent—Messrs. McGinn and Weatherford—2.

So the rules were suspended, and senate bill No. 164 was read second time by title only.

On motion of Mr. Denny, the bill was referred to the committee on judiciary.

Senate bill No. 165. Mr. Woodard, by request. (By unanimous consent.) A bill for an act entitled an act to enlarge the duties of city surveyors in cities of over five thousand inhabitants.

Senate bill No. 165 was read first time and passed to second reading without question.

Senate bill No. 166. Mr. Steiwer, by request. (By unanimous consent.) A bill for an act entitled an act to amend section 2188 of chapter I., title I., of the laws of Oregon, volume 2, as compiled and annotated by W. Lair Hill.

Senate bill No. 166 was read first time.

Mr. Steiwer moved that the rules be suspended and that senate bill No. 166 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Crosno, McGinn, and Weatherford—3.

So the rules were suspended and senate bill No. 166 was read second time by title only.

On motion of Mr. Steiwer, the bill was referred to the committee on counties.

Senate bill No. 167. Mr. Woodard, by request. (By unanimous consent.) A bill for an act entitled an act to facilitate the assessment of real property in cities of over five thousand inhabitants.

Senate bill No. 167 was read first time and passed to second reading without question.

Senate bill No. 168. Mr. Bancroft. (By unanimous consent.) A bill for an act to prevent frauds upon travelers.

Senate bill No. 168 was read first time and passed to second reading without question.

Senate bill No. 169. Mr. Cross. (By unanimous consent.) A

bill for an act to authorize the construction of a bridge across the Willamette river from a point on Sixth street, in Oregon City, Oregon, to some suitable point across said river opposite thereto.

Senate bill No. 169 was read first time.

Mr. Cross moved that the rules be suspended and that senate bill No. 169 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Willis, and Mr. President—23.

Absent—Messrs. Crosno, Gates, Maxwell, McGinn, Veatch, Weatherford, and Woodard—7.

So the rules were suspended and senate bill No. 169 was read second time by title only.

On motion of Mr. Cross, the bill was referred to the committee on roads and highways.

Senate bill No. 170. Mr. Alley. (By unanimous consent.) A bill for an act to create a board of supervisors in the several counties of this state, and defining the powers, duties, and compensation of its members; to create precincts in the several counties of this State, and to provide for the election of precinct officers, consisting of supervisor, clerk, treasurer, assessor, justices of the peace, constables, and road overseer in each precinct, and defining their powers, duties, and compensation; to amend section 2456 of the general laws of the state of Oregon, as annotated and compiled by W. Lair Hill, and to repeal all acts and parts of acts which conflict with or in any manner contravene the provisions of this act.

Senate bill No. 170 was read first time.

Mr. Alley moved that the rules be suspended and that senate bill No. 170 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, Matlock, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Crosno, Dodson, Gates, Huston, Maxwell, McGinn, Veatch, and Weatherford—8.

So the rules were suspended and senate bill No. 170 was read second time by title only.

On motion of Mr. Alley, the bill was referred to the committee on agriculture.

Senate bill No. 171. Mr. Raley, by request. (By unanimous consent.) A bill for an act to amend title XV. of chapter I. of the code of civil procedure, of the state of Oregon, relating to attachments and garnishments.

Senate bill No. 171 was read first time.

Mr. Raley moved that the rules be suspended and that senate bill No. 171 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Dodson, Gates, Hayes, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—24.

Absent—Messrs. Crosno, Denny, Hirsch, Maxwell, McGinn, and Weatherford—6.

So the rules were suspended and senate bill No. 171 was read second time by title only.

On motion of Mr. Raley, the bill was referred to the committee on judiciary.

Senate bill No. 172. Mr. Steiwer. (By unanimous consent.) A bill for an act to amend section 2256 of the general laws of Oregon, as compiled and annotated by William Lair Hill, changing the boundaries of Gilliam county, Oregon.

Senate bill No. 172 was read first time.

Mr. Steiwer moved that the rules be suspended and that senate bill No. 172 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Cross, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Blackman, Crosno, Denny, Hirsch, McGinn, Raley, and Weatherford—7.

So the rules were suspended and senate bill No. 172 was read second time by title only.

On motion of Mr. Steiwer, the bill was referred to the committee on counties.

Senate bill No. 173. Mr. Huston. (By unanimous consent.) A bill for an act to amend an act entitled "A bill to establish an institution of learning in Washington county," called "The Tualatin Academy and Pacific University," passed council January 10, 1854.

Senate bill No. 173 was read first time.

Mr. Huston moved that the rules be suspended and that senate bill No. 173 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—25.

Absent—Messrs. Crosno, Hirsch, McGinn, Raley, and Weatherford—5.

So the rules were suspended and senate bill No. 173 was read second time by title only.

On motion of Mr. Huston, the bill was referred to the committee on corporations.

Senate bill No. 174. Mr. Cross, by request. (By unanimous consent.) A bill for an act to give relief to Mary E. Barlow and Wm. Barlow for interest on money paid by the state of Oregon for school lands, the title to which has failed.

Senate bill No. 174 was read first time and passed to second reading without question.

Senate bill No. 175. Mr. Cross, by request. (By unanimous consent.) A bill for an act to prevent disturbances in public places and elsewhere.

Senate bill No. 175 was read third [first] time and passed to second reading without question.

On motion of Mr. Alley, the senate adjourned.

O. P. MILLER,  
Chief clerk.

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THURSDAY, JANUARY 26, 1893.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1893. }

The senate was called to order at 10 o'clock A. M. by the president. The roll was called, and all the members were present except Messrs. Raley and McGinn.

Mr. McGinn was absent on leave.

The senate was opened with prayer by Rev. Wm. Lund, of the Episcopal Church.

On motion of Mr. Blackman, the reading of the journal was dispensed with.

On motion of Mr. Cogswell, the vote by which senate bill No. 23 was indefinitely postponed was reconsidered.

On motion of Mr. Cogswell, senate bill No. 23 was re-referred to the committee on judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 26, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 18,—a bill for an act entitled an act to incorporate the town of Beaverton, in Washington county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 235,—a bill for an act to amend section 14 of an act entitled "An act to incorporate the town of Heppner," approved February 9, 1887, and to legalize an election heretofore held in said town, authorizing the issuance of fifteen thousand dollars of water bonds.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 30,—a bill for an act to amend section 78,

title X., chapter I., of the code of civil procedure of the state of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 109,—a bill for an act to amend section 332 of title I., chapter IV., of the laws of Oregon, as compiled and annotated by William Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 106,—a bill for an act to amend an act entitled "An act to declare what days are legal holidays in this state," approved February 20, 1885, and to provide when negotiable instruments falling due on legal holidays shall be payable.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 75,—a bill for an act to provide a manner for serving notices of appeals in all appeals from justices' courts, county courts, or circuit courts of the state.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate joint resolution No. 1.

And the same is herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 26, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 103,—a bill for an act to amend section 414 of Hill's annotated laws of Oregon, relating to the foreclosure and sale of real or personal property under liens of such property.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 26, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 102,—a bill for an act to amend an act entitled "An act to declare the first Saturday of June of each year a public holiday, to be known as Labor day," and to amend an act entitled "An act to amend section 899, of chapter II., title VII., of the code of civil procedure, general laws of Oregon," approved October 25, 1880, approved February 21, 1887.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign senate joint resolution No. 1, and soon thereafter announced that he had signed the same.

Mr. Cross, chairman of the committee on roads and highways, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1893. }

*Mr. President:*

Your committee on roads and highways, to whom was referred senate bill No. 117, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

AMENDMENT.

Strike out "two" in line 3, section 2, of printed bill and insert the word "three."

AMENDMENT.

On page 3, line 30, of printed bill strike out the word "increased" and insert "decreased."

AMENDMENT.

On same line, after the words "twenty per cent," insert "or if his damages are not increased twenty per cent."

AMENDMENT.

After the words "twenty per cent," in line 32, page 3, of printed bill, insert, "or if his damages be increased more than twenty per cent."

H. E. CROSS,  
Chairman.

On motion of Mr. Cross, the report was adopted.

On motion of Mr. Cross, senate bill No. 117 was ordered engrossed and to third reading tomorrow.

Mr. Cogswell, chairman of the committee on federal relations, submitted the following report:—



## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1893. }

*Mr. President:*

Your committee on federal relations, to whom was referred senate bill No. 104, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

## AMENDMENT.

In section 5, line 2, and also in lines 6 and 7, same section, strike out the word "commissioners" and insert the word "county".

## AMENDMENT.

Strike out the word "and" after "improving"; insert the word "and" after the word "improving"; in line 2 of section 4; strike out the words "and maintaining" in said line 2 of section 4.

## AMENDMENT.

Strike out the words "and improving roads" in line 8 of section 5.  
C. A. COGSWELL,  
Chairman.

On motion of Mr. Cogswell, the report was adopted.

On motion of Mr. Cogswell, senate bill No. 104 was ordered engrossed and to third reading tomorrow.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 62, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass upon being amended so as to read as follows:—

## AMENDMENT.

A bill for act to create the office of recorder of conveyances in the county of Polk, and to define the duties thereof.

*Be it enacted by the Legislative Assembly of the State of Oregon :*

Section 1. That on, from, and after the first Monday of July, 1894, there shall be in the county of Polk, said county having the number of voters required by the constitution, namely, twelve hundred, a recorder of conveyances, who shall be chosen in the same manner as the other officers of the county are chosen, and who shall hold office for two years, and until his successor is elected and qualified; *provided*, that the person to be elected to such office for the term commencing on the first Monday of July, 1894, shall be elected at the general election in 1894. The office of recorder of conveyances in said county shall be separate and distinct from the county clerk's office of said county. The recorder of conveyances in said county, before entering upon the duties of his office, shall execute to the state of Oregon and file with the county clerk of his county a bond in the penal sum of three thousand dollars, with two or more sufficient sureties, to be approved by the county judge of his county, with a condition that he will faithfully, correctly, and impartially perform all the duties of his office, and shall deliver to his successor in office all books, records, maps, deeds, mortgages, papers, and things belonging to his office, then the said obligation shall be void; otherwise, to remain in full force and effect.

Section 2. The recorder of conveyances may appoint a deputy, who shall hold his office during the pleasure of the recorder of conveyances. Such appointment shall be in writing, filed and recorded in the office of said recorder of conveyances; and the recorder of conveyances so appointing him and his sureties shall be responsible for the faithful performance of his duty by such deputy. In case of a vacancy in the office of recorder of conveyances, the same shall be filled by the county judge and county commissioners of such county by appointment of some suitable person; or in the absence or inability to perform the duties of his office, the deputy shall perform the duties of said recorder of conveyances during the continuance of such absence or inability.

Section 3. The recorder of conveyances shall have the custody of and safely keep and preserve all files and records of deeds and mortgages of real property, and all maps, plats, contracts, and powers of attorney affecting the title of real property. He shall also record or cause to be recorded in a plain and distinct handwriting, in suitable books to be provided by the county and kept in

his office, all deeds and mortgages of real property and powers of attorney and contracts affecting the title to real property authorized by the law to be recorded, and shall perform all the duties in regard to the filing, recording, and indexing of deeds and mortgages of real property, contracts, and powers of attorney affecting the title of real property and in regard to the entry of satisfaction and discharge of the same as were heretofore required by law to be done by the county clerk of said counties, and a transcript of the record of any instrument duly recorded by him under the authority of this act, duly certified by such recorder under the seal of his office, may be read in evidence in any court in the state with like force and effect as the original instrument. The recorder of conveyances shall certify upon every instrument recorded by him the time when it was received, with a reference to the book and page where it is recorded, and such instrument shall be considered as recorded at the time it was received. It shall be the duty of the county court of each county having a recorder of conveyances to provide a suitable seal for the use of such recorder.

Section 4. Every recorder of conveyances shall keep a general index, direct and indirect, in his office. The general index direct shall be divided into seven columns, with heads to the respective columns, as follows, to wit:

Time of reception.	Names of grantor.	Names of grantee.	Nature of instrument.	Volume and page where recorded.	Remarks.	Brief description of tract.
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He shall make correct entries in such general index of every instrument recorded under the appropriate heading, entering the names of the grantors in an alphabetical form. The general index shall be divided into seven columns, as follows, to wit:

Time of reception.	Names of grantees.	Names of grantors.	Nature of instrument.	Volume and page where recorded.	Remarks.	Brief description of tract.
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He shall make in such general index correct entries of every instrument required by law to be entered in the general index direct, entering the names of the grantors in alphabetical order, and whenever any mortgage, bond, or other instrument has been released or discharged from record, or by recording a deed or lease, the recorder shall immediately note in both general indexes, under the column headed "Remarks," and opposite the appropriate entry, that such instrument has been satisfied.

Section 5. He shall keep a receiving book, each page of which shall be divided into five columns, as follows, to wit:

Time of reception.	Name of grantor.	Name of grantee.	To whom delivered.	Fees received.
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As required by law to be recorded. Whenever any instrument has been received by him for record, he shall immediately endorse upon such instrument his certificate, noting the day, hour, and minute of its reception, and fees received for recording the same, and the date of record of such instrument shall be from the date of filing. Whenever any instrument has been filed as aforesaid, the recorder shall immediately make an entry of the same in his receiving book, under the appropriate heading, with the amount paid as fee for recording the same; and after such instrument has been recorded, he shall deliver it to the person authorized to receive the same, writing the name of the person to whom it is delivered in the appropriate column.

Section 6. He shall also keep a large, well-bound book, in which shall be platted all maps of town, villages, or additions to the same within his county, together with description, acknowledgment, or other writing therein. He shall keep an index to such book of plats, which index shall contain the name or names of the proprietor or proprietors of such town or village or addition, and the name of the town, village, or addition. No recorder of conveyances shall be bound to perform any of the duties required to be performed by this act for which a fee is allowed, unless such fee has been paid or tendered.

Section 7. He shall also keep an index of each volume of records kept in his office, showing on one page the name of the grantors, in alphabetical order, and on the other page the name of the grantees, in alphabetical order.

Section 8. The recorder of conveyances shall receive as compensation for his services for recording any instrument of writing as by law is authorized to be recorded similar fee or fees as is now allowed the county clerk for recording all instruments of writing authorized to be recorded by this act, and not otherwise.

Section 9. The county clerk of Polk county shall receive from the county for indexing records already made the sum of ten cents for each and every index made of every tract or lot of land in the direct or indirect indexes described in this act, the direct and indirect indexes of all records already made shall be completed prior to July 1, 1894.

Section 10. The recorder of conveyances shall keep his office open for the transaction of business as follows: On every day, excepting Sundays, from eight to twelve o'clock in the forenoon, and from one to five o'clock in the afternoon. The office of recorder of conveyances shall be kept in the county court house in such room or rooms as the county court may designate.

O. N. DENNY,  
Chairman.

On motion of Mr Denny, the report was adopted.

Substituted senate bill No. 62 was read first time.

Mr. Butler moved that the rules be suspended and that senate bill No. 62 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Looney and McGinn—2.

So the rules were suspended and substituted senate bill No. 62 was read second time by title.

On motion of Mr. Butler, the bill was ordered engrossed and to third reading tomorrow.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 34, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

That in section 1, lines 11 and 12 of the printed bill (section 1, lines 17 and 18 of original bill), after the words "state of Oregon" the words "and kept there for such time as he shall fix, not exceeding one year," shall be stricken out.

#### AMENDMENT.

That in section 1, line 12 of the printed bill (section 1, line 19 of original bill), after the word "discharged" the word "therefrom" be inserted.

## AMENDMENT.

That in section 1, lines 12 and 13 of printed bill (section 1, line 19 of original bill), after the word "discharged" the words "before the expiration of such terms" shall be stricken out.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

Senate bill No. 34 was ordered engrossed and to third reading tomorrow.

Mr. Woodard, chairman of the special committee, to whom was referred senate bill No. 21, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1893. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 21, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

Strike out all after the enacting clause and insert the following:—  
Section 1. That for the purpose of representing the state of Oregon at the World's Columbian Exposition to be held at Chicago, in the state of Illinois, in the year 1893, and to the end that the interests of our state may be advanced by making our vast and valuable resources more widely known, a commission is hereby created, to be known as the "Oregon World's Fair Commission."

Section 2. Said commission shall consist of six members, who shall be appointed by the governor,—one from the state board of agriculture; one from the state board of horticulture; one from the state board of education; one from the state at large, to represent the mining interests; one from the Columbia river packers' association; one from the members of the board of lady managers World's Columbian Exposition, residing in Oregon. The governor, secretary of state, and state treasurer shall be *ex officio* members of said commission. The members of the United States Board of Commissioners appointed by the United States government for the state of Oregon, shall be *ex officio* members of said commission.

Section 3. They shall hold office until their duties are performed, but not to exceed two years from the first day of February, 1893.

Section 4. Any commissioner may be removed for cause by the governor on the recommendation of the commission, and all vacancies in said commission shall be filled by appointment of the governor.

Section 5. The commissioners shall be reimbursed for all necessary traveling expenses within the state of Oregon, when attending meetings relating to the affairs of the commission, but shall receive no compensation for the performance of their duties.

Section 6. The commissioners shall within ten days after their appointment meet at the capitol at Salem, take the oath of office, and effect the organization necessary to carry out the purpose for which the commission was created. Five of said board shall constitute a quorum to transact business. At the first meeting of said board, in addition to a president, there shall be elected from its members one person who, with the president and secretary of state, shall constitute an executive committee, whose duty it shall be to audit all accounts of said commission and authorize the payment of all monies expended by the same. The state treasurer shall be *ex officio* treasurer of this commission.

Section 7. The commission shall file with the secretary of state quarterly reports of their expenditures and disbursements, with proper vouchers, which quarterly reports shall be duly verified by the oath of the president or secretary of the commission, and the same shall be open to the inspection of all persons.

Section 8. The commission shall render to the legislative assembly in A. D. 1895, a full, complete, and final account of all receipts and disbursements made by it, and a brief report of its doings, and on or before the expiration of its term, to wit, February 1, A. D. 1895, it shall turn over to the secretary of state all books, papers, and property which may remain in its possession at the close of its said term.

Section 9. The commission shall organize by the election from its members of a president and by the appointment of a secretary. The commission shall have power to make rules and regulations for its government and for the government of its employés, and for the proper disbursement of all moneys received by it under this act or from other sources. It shall have power to dispose of all property of the state which may come into its possession at the exposition, and shall account for the proceeds thereof. It shall have power to appoint its chiefs and superintendents of divisions, officers, and agents and committees, and to fix the compensation of such as are entitled thereto; but no persons so appointed shall receive to



exceed five dollars per day for such time as employed. It shall also have power to perform such other duties as are necessary to carry out the provisions of this act.

Section 10. To carry out the provisions of this act there is hereby appropriated for the use of said commission, out of the moneys in the state treasury, the sum of sixty thousand (60,000) dollars; and the secretary of state is hereby authorized to draw his warrant on the general funds in said sum in favor of the treasurer of the state of Oregon, which said sum shall constitute a specific fund to be drawn out of the treasury in the manner hereinafter specified on the warrants of the commission, signed by its president and secretary, and no warrant shall be drawn unless authorized by the said commission or by the executive board thereof, as hereinbefore provided; *provided, always*, that no part of said sum shall be expended otherwise than for the purpose set forth in this act; *and provided further*, that if any portion of said sum is unexpended when said final accounting to the state is made, as aforesaid, it shall be covered into the general fund of the treasury.

Section 11. The commission shall classify and exhibit the resources of the state, as nearly as may be, under the following heads: agriculture; live stock; horticulture, including floriculture and viticulture; forestry and forest products; mines, mining, and metallurgy; manufactures; fish and fishing apparatus; electrical and mechanical inventions; woman's work, comprising the fine arts, household economy, and products thereof, music, etc.; educational, including educational exhibits, literary, special, general, etc.; all civil departments, including state and county.

Section 12. No provision in this act shall prevent said commission from soliciting or receiving contributions from individuals or organizations other than the state; but when so received they shall be kept as a separate fund and be disbursed and accounted for to the state of Oregon in the same manner as the appropriation aforesaid.

Section 13. Inasmuch as the time is close at hand when our exhibit should be in place, if represented, and much remains to be done, this act should take effect from and after its approval by the governor.

C. H. WOODARD,  
Chairman.

Mr. Woodard moved the adoption of the report.

Mr. Cogswell moved to re-refer the bill and have it printed as amended.

Lost.

Mr. Huston moved that further consideration of the bill be indefinitely postponed.



Messrs. Veatch and Huston called for the ayes and noes.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Gates, Huston, Myers, Vanderburg, Veatch, and Willis—7.

Nays—Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, Raley, Smith, Steiwer, Weatherford, Woodard, and Mr. President—22.

Absent—Mr. McGinn—1.

So the senate refused to indefinitely postpone the consideration of the bill.

On motion of Mr. Cogswell, the bill was referred to the committee on elections, with instructions to have printed as amended.

On motion of Mr. Hirsch, the courtesies of the senate were extended to Hon. C. W. Roby, and he was invited to a seat within the bar of the senate.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 286,—a bill for an act to incorporate the town of Tangent, in the county of Linn, state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 275,—a bill for an act to incorporate the town of Dufur, Wasco county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 41,—a bill for an act to amend section 2853 of Hill's annotated laws of Oregon so as to prevent and make unlawful the marriage of first cousins.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 45,—a bill for an act for the relief of Lake county.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 77,—a bill for an act to amend section 958 (927) of title III. of chapter XII. of the code of civil procedure, as compiled and annotated by William Lair Hill, relating to the manner of drawing juries.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has amended senate bill No. 67, by striking out the word "Wasco" in sixth line of section 1, and passed the same as amended.

And the same is herewith returned to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. Dodson, the senate concurred in the house amendments to senate bill No. 67.

Senate bill No. 67 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that house bill No. 15 has been reported as correctly enrolled and that he has signed the same.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that house joint resolution No. 9 has been correctly enrolled and that he has signed the same.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1893. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 31.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 31 was ordered enrolled.

The president announced that he was about to sign house bill No. 15, and soon thereafter announced that he had signed the same.

The president announced that he was about to sign house joint resolution No. 9, and soon thereafter announced that he had signed the same.

Mr. Cogswell moved that the rules be suspended and that house bill No. 45 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—Messrs. Hayes and Raley—2.

Absent—Messrs. Cameron and McGinn—2.

So the rules were suspended and house bill No. 45 was read first time by title only.

Mr. Cogswell moved that the rules be further suspended and that house bill No. 45 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—26.

Nays—Messrs. Raley and Weatherford—2.

Absent—Messrs. Cameron and McGinn—2.

So the rules were suspended and house bill No. 45 was read second time by title only.

On motion of Mr. Cogswell, the bill was referred to the committee on ways and means.

On motion of Mr. Crosno, the courtesies of the senate were ex-

tended to Hon. Allan Parker, and he was invited to a seat within the bar of the senate.

Mr. Alley, by unanimous consent, presented a petition asking for the repeal of sections 7 and 8 of an act entitled an act to protect salmon and other food fishes in state of Oregon, relative to sawdust in streams.

Senate bill No. 176. Mr. Myers. A bill for an act providing for the purchase of the canals and locks around the Willamette falls at Oregon City, and to establish a fund and levy a tax to pay for the same, and to provide for the operation and maintenance thereof.

Mr. Myers moved that the rules be suspended and that senate bill No. 176 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Cogswell, Crosno, and McGinn—3.

So the rules were suspended and senate bill No. 176 was read first time by title only.

Mr. Myers moved that the rules be further suspended and that senate bill No. 176 be read the second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Weatherford, Willis, Woodard, and Mr. President—23.

Nays—Messrs. Raley and Vanderburg—2.

Absent—Messrs. Beckley, Crosno, Dodson, McGinn, and Veatch—5.

So the rules were suspended and senate bill No. 176 was read second time by title only.

On motion the bill was referred to a special committee consisting of one senator from each senatorial district in the state.

On motion of Mr. Hirsch, the courtesies of the senate were extended to Hon. Richard Williams, and he was invited to a seat within the bar of the senate.

Senate bill No. 177. Mr. Denny. An act to define the property rights of husband and wife, and fixing the rights and liabilities of the parties and other persons with respect thereto.

Senate bill No. 177 was read first time.

Mr. Denny moved that the rules be suspended and that senate bill No. 177 be read the second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cross, Denny, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—24.

Nays—Mr. Raley—1.

Absent—Messrs. Cogswell, Crosno, Dodson, McGinn, and Veatch—5.

So the rules were suspended and senate bill No. 177 was read second time by title only.

On motion of Mr. Denny, the bill was referred to the committee on judiciary.

Senate bill No. 178. Mr. Alley. A bill for an act to amend section 1733 of chapter II. of title II. of the criminal code of Oregon, as compiled and annotated by Wm. Lair Hill.

Senate bill No. 178 was read first time.

Mr. Alley moved that the rules be suspended and that senate bill No. 178 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—23.

Nays—Messrs. Blackman, Huston, and Raley—3.

Absent—Messrs. Cogswell, Crosno, McGinn, and Veatch—4.

So the rules were suspended and senate bill No. 178 was read second time by title only.

On motion of Mr. Alley, the bill was referred to the committee on education.

Senate bill No. 179. Mr. Cross. A bill for an act to amend section 1 of an act entitled an act to amend sections 2246 and 2247 of the laws of Oregon, as compiled and annotated by W. Lair Hill, relating to the boundaries of Clatsop county and the line of boundary between the counties of Clatsop and Tillamook, approved February 20, 1891.

Senate bill No. 179 was read first time.

Mr. Cross moved that the rules be suspended and that senate bill No. 179 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hirsch, Looney, Matlock, Maxwell, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Nays—Messrs. Huston, McAlister, and Raley—3.

Absent—Messrs. Crosno, Hayes, McGinn, Myers, and Veatch—5.

So the rules were suspended and senate bill No. 179 was read second time by title only.

On motion of Mr. Cross, the bill was referred to a special committee consisting of the senators from the counties of Clatsop and Tillamook.

Senate bill No. 180. Mr. Vanderburg. A bill entitled an act to improve railroad stations.

Senate bill No. 180 was read first time and passed to second reading without question.

Senate bill No. 181. Mr. Huston. A bill for an act to amend an act entitled an act to prevent the spread of contagious animal diseases, approved February 25, 1889.

Senate bill No. 181 was read first time.

Mr. Vanderburg moved that the rules be suspended and senate bill No. 181 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cross, Hirsch, Looney, Maxwell, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—18.

Nays—Messrs. Dodson, Hayes, Huston, Matlock, and McAlister—5.

Absent—Messrs. Cogswell, Crosno, Denny, Gates, McGinn, Raley, and Veatch—7.

So the senate refused to suspend the rules.

Senate bill No. 182. Mr. Maxwell. An act to amend an act entitled an act to amend an act entitled an act to amend an act entitled an act to regulate the salaries of county judges of the state of Oregon, approved February 20, 1885, approved February 21, 1887, and approved February 25, 1889, filed in the office of the secretary of state, February 18, 1891.

Senate bill No. 182 was read first time.

Mr. Maxwell moved that the rules be suspended and that senate bill No. 182 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Dodson, Hayes, Hirsch, Looney, Matlock, Maxwell,

McAlister, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—23.

Nays—Mr. Huston—1.

Absent—Messrs. Cogswell, Denny, Gates, McGinn, Raley, and Veatch—6.

So the rules were suspended and senate bill No. 182 was read second time by title only.

On motion of Mr. Maxwell, the bill was referred to the committee on counties.

By unanimous consent, Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate joint resolution No. 3, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be adopted.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny the report was adopted.

Mr. Weatherford, that senate joint resolution No. 3 be adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—Mr. Huston—1.

Absent—Messrs. McGinn and Myers—2.

So senate joint resolution No. 3 was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
January 26, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 9, that our United States



senators use all honorable means toward amendment of the constitution of United States to authorize the election of United States senators by direct vote of the people, and instructing secretary of state to forward copy of same to each senator and representative in congress.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 9.

Whereas the election of the United States senators by the legislature of the different states is the cause of much contention and strife and even corruption, or at least charges thereof, and also retarding and hindering other business coming before such legislative assemblies; and whereas there is no reason why such United States senators should not be elected in the same manner as the representatives to congress, but many reasons for a change or amendment to the United States constitution that would provide for an election of United States senators by a direct vote of the people; therefore be it

*Resolved*, That our United States senators are requested to use all honorable means toward an amendment of the constitution of the United States that will authorize the election of United States senators by a direct vote of the people.

*Be it further resolved*, That the secretary of state be and he is hereby instructed to forward to each senator and representative from the state of Oregon, at Washington, D. C., a copy of these resolutions.

On motion of Mr. Weathford, house concurrent resolution No. 9 was referred to the committee on federal relations.

By unanimous consent, Mr. Cameron introduced senate resolution No. 22.

#### SENATE RESOLUTION NO. 22.

*Resolved*, That the secretary of state is hereby authorized to procure \$5 worth of two-cent stamps for each member of the senate, and also the same amount for the sergeant-at-arms.

Mr. Cameron moved the adoption of the resolution.

Mr. Myers moved to amend by including in the resolution the mailing clerk.

Mr. Cameron accepted the amendment.

Mr. Blackman moved to amend by inserting \$1.00 worth of newspaper wrappers.

Mr. Cameron accepted the amendment.

Mr. Veatch and Vanderburg called for the ayes and nays on the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Dodson, Hirsch, Maxwell, McAlister, Myers, Steiwer, Willis, Woodard, and Mr. President—17.

Nays—Messrs. Cross, Gates, Hayes, Huston, Looney, Matlock, Smith, Vanderburg, Veatch, and Weatherford—10.

Absent—Messrs. Denny, McGinn, and Raley—3.

The resolution was adopted.

On motion of Mr. Veatch, the senate adjourned.

O. P. MILLER,  
Chief clerk.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1893. }

The senate was called to order by the president at 2 o'clock P. M.

The roll was called, and all the senators were present except Senators Crosno, Cross, Willis, and McGinn.

Mr. McGinn was absent on leave.

On motion of Mr. Raley, the courtesies of the senate were extended to Hon. W. F. Butcher, and he was invited to a seat within the bar of the senate.

On motion of Mr. Veatch, the courtesies of the senate were extended to Hon. E. R. Skipworth, and he was invited to a seat within the bar of the senate.

Mr. Crosno was granted leave of absence.

Mr. Dodson moved that when the senate adjourn it adjourn to meet at 9 o'clock tomorrow morning.

The motion prevailed.

Mr. Butler moved that the vote by which senate bill No. 53 failed to pass be reconsidered.

Messrs. Smith and Raley called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cogswell, Cross, Denny, Dodson, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

**Nays—Messrs. Beckley, Cameron, Gates, Hayes, and Maxwell—5.**

**Absent—Messrs. Crosno and McGinn—2.**

So the vote by which senate bill No. 53 failed to pass was reconsidered.

On motion of Mr. Weatherford, senate bill No. 53 was laid on the table.

Senate bill No. 133 coming on for second reading, was read second time.

On motion of Mr. Cross, the bill was referred to a special committee consisting of the senators from Clackamas and Multnomah counties.

Senate bill No. 136 coming on for second reading, was read second time.

On motion of Mr. Veatch, the bill was referred to the committee on counties.

Senate bill No. 138 coming on for second reading, was read second time.

On motion of Mr. Huston, the bill was referred to the committee on judiciary.

Senate bill No. 139 coming on for second reading, was read second time.

On motion of Mr. Weatherford, the bill was referred to the committee on judiciary.

Senate bill No. 149 coming on for second reading, was read second time.

On motion of Mr. Huston, the bill was referred to the committee on judiciary.

Senate bill No. 150 coming on for second reading, was read second time.

On motion of Mr. Butler, the bill was referred to the committee on judiciary, with leave to report at any time.

Senate bill No. 151 coming on for second reading, was read second time.

Mr. Butler moved that the rules be suspended and that senate bill No. 151 be considered engrossed and be read third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

**Absent—Messrs. Hirsch, McGinn, and Myers—3.**

So the rules were suspended and senate bill No. 151 was considered engrossed and read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Nays—None.

Absent—Messrs. McGinn and Myers—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 152 coming on for second reading, was read second time.

On motion of Mr. Vanderburg, the bill was referred to the committee on labor.

Senate bill No. 153 coming on for second reading, was read second time.

On motion of Mr. Beckley, the bill was ordered engrossed and to third reading tomorrow.

Senate bill No. 155 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to a special committee consisting of the senators from Multnomah county.

Senate bill No. 161 coming on for second reading, was read second time.

On motion of Mr. Cogswell, the bill was referred to the committee on counties.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 26, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 3.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate joint resolution No. 3 was ordered enrolled.

Senate bill No. 45 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—Mr. Blackman—1.

Absent—Messrs. McGinn and Veatch—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 93 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Nays—None.

Absent—Mr. McGinn—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 73 coming on for third reading, was read third time.

On motion of Mr. Maxwell, senate bill No. 73 was laid on the table.

On motion of Mr. Woodard, the courtesies of the senate were extended to Mr. Davis of Portland, and he was invited to a seat within the bar of the senate.

Senate bill No. 127 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith,

Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Nays—None.

Absent—Mr. McGinn—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 156 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—28.

Nays—None.

Absent—Messrs. McGinn and Weatherford—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

By unanimous consent, Mr. Cogswell, chairman of the committee on federal relations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1893. }

*Mr. President:*

Your committee on federal relations, to whom was referred house concurrent resolution No. 9, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do concur.

C. A. COGSWELL,  
Chairman.

On motion of Mr. Cogswell, the report was adopted.

On motion of Mr. Cogswell, the senate concurred in the adoption of house concurrent resolution No. 9.

By unanimous consent, Mr. Willis, chairman of the special committee consisting of the senators from Multnomah county, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1893. }

*Mr. President:*

Your committee of senators from Multnomah county, to whom was referred senate bill No. 105, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, senate bill No. 105 was ordered engrossed and to third reading tomorrow.

Senate bill No. 183. Mr. Weatherford. (By unanimous consent.) An act to incorporate the town of Waterloo, in Linn county, state of Oregon.

Mr. Weatherford moved that the rules be suspended and that senate bill No. 183 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Denny, Dodson, Gates, Hirsch, Huston, Looney, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—Mr. Cogswell—1.

Absent—Messrs. Cross, Hayes, Matlock, and McGinn—4.

So the rules were suspended and senate bill No. 183 was read first time by title only.

Mr. Weatherford moved that the rules be further suspended and that senate bill No. 183 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—Mr. Huston—1.

Absent—Messrs. Matlock and McGinn—2.

So the rules were suspended and senate bill No. 183 was read second time by title only.

On motion of Mr. Weatherford, the bill was referred to the committee on corporations.

House bill No. 4 coming on for first reading, was read first time.

Mr. Weatherford moved that the rules be suspended and that house bill No. 4 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—24.

Nays—Mr. Huston—1.

Absent—Messrs. Crosno and McGinn—2.

Not voting—Messrs. Alley, Denny, and Maxwell—3.

So the rules were suspended and house bill No. 4 was read second time by title only.

On motion of Mr. Weatherford, the bill was referred to the committee on fishing industries.

House bill No. 119 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 2 coming on for first reading, was read first time.

Mr. Willis moved that the rules be suspended and that house bill No. 2 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—Mr. Huston—1.

Absent—Messrs. Crosno and McGinn—2.

So the rules were suspended and house bill No. 2 was read second time by title only.

On motion of Mr. Willis, the bill was referred to the committee on judiciary.

House bill No. 56 coming on for first reading, was read first time.

On motion of Mr. Cogswell, house bill No. 56 was laid on the table.

House bill No. 235 coming on for first reading, was read first time.

Mr. Blackman moved that the rules be suspended and that house bill No. 235 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith,



Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. McGinn and Veatch—2.

So the rules were suspended and house bill No. 235 was read second time by title only.

Mr. Blackman moved that the rules be suspended and that house bill No. 235 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Absent—Mr. McGinn—1.

So the rules were suspended and house bill No. 235 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—None.

Absent—Messrs. Crosno and McGinn—2.

Not voting—Mr. Butler—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 30 coming on for first reading, was read first time.

Mr. Looney moved that the rules be suspended and that house bill No. 30 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Crosno, Denny, and McGinn—3.

So the rules were suspended and house bill No. 30 was read second time by title only.

On motion of Mr. Looney, the bill was referred to the committee on judiciary.

House bill No. 109 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 106 coming on for first reading, was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 26, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that house bill No. 19 has been reported as correctly enrolled; that the same has been signed by him.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced he was about to sign house bill No. 19, and soon thereafter that he had signed the same.

House bill No. 38 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 18 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 75 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 102 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 103 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 286 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 275 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 41 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 77 coming on for first reading, was read first time and passed to second reading without question.

On motion of Mr. Alley, the senate adjourned.

O. P. MILLER,  
Chief clerk.

FRIDAY, JANUARY 27, 1893.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1893. }

The senate was called to order at 9 o'clock A. M., Mr. President in the chair.

The roll was called, and the absentees were Senators Beckley, Matlock, McAlister, and McGinn.

Mr. McGinn was absent on leave.

On motion of Mr. Alley, the reading of the journal was dispensed with.

On motion of Mr. Weatherford, the courtesies of the senate were extended to Hon. J. J. Daly, and he was invited to a seat within the bar of the senate.

Senate bill No. 184. Mr. Weatherford. (By unanimous consent.) A bill for an act to fix the maximum compensation of all public officers in the state of Oregon, and to provide the manner of its enforcement.

Senate bill No. 184 was read first time.

Mr. Weatherford moved that the rules be suspended and that senate bill No. 184 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Blackman, Butler, Cameron, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Maxwell, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—21.

Nays—Messrs. Bancroft and Huston—2.

Absent—Messrs. Beckley, Cogswell, Cross, Looney, Matlock, McAlister, and McGinn—7.

So the rules were suspended and senate bill No. 184 was read second time by title only.

On motion of Mr. Weatherford, the bill was referred to the committee on judiciary.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 32 and 67, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

By unanimous consent, Mr. Raley introduced senate resolution No. 23.

## SENATE RESOLUTION NO. 23.

*Resolved*, That a committee of three be appointed by the president of the senate, consisting of senators whose term of office will not expire until after the regular session of the legislative assembly of 1895, for the purpose of investigating the feasibility and advisability of constructing a portage railroad around the falls at the dalles from a point at or near the town of Celilo to the city of The Dalles, in Wasco county, Oregon, and for that purpose they are hereby empowered to secure the services of a competent engineer, and to procure such other assistance as may be necessary to make a complete investigation as to the probable costs of such a road, the benefits to accrue therefrom to the people of the state of Oregon, and the effects that such a road may have upon the material interests of this state, and to report the same to the legislature at this or the next session thereof, together with their conclusions and recommendations thereon.

That said committee, if in their opinion it would be advisable, are hereby authorized to consult with the United States engineers, or any department of the federal government for the purpose of obtaining information or making requests of the general government for assistance in ascertaining the probable costs of the road or in building and maintaining the same, and that any memorial prepared by said committee may at their request be sent to the congress of the United States by the secretary of the state of Oregon, under the seal of the state, as being the act of the people of the state of Oregon.

*Resolved further*, That any bills now before the senate in reference to the construction of a portage railroad between said points be and the same are hereby referred to the committee created in the foregoing resolution.

On motion of Mr. Raley, the resolution was adopted.

Mr. Cameron moved that house bill No. 56 be now taken from the table.

The motion prevailed.

House bill No. 56 was read second time.

Mr. Cameron submitted the following amendments:—

AMENDMENT.

Amend house bill No. 56 as follows: Strike out the word "Baker" in line 3, section 1, of printed bill.

AMENDMENT.

Strike out the word "Wasco" in line 4, of printed bill, and insert in lieu thereof the word "Morrow."

AMENDMENT.

In section 2, line 3, of printed bill, strike out the word "Wasco."

On motion of Mr. Cameron, the amendments were adopted and House bill No. 56 was ordered to third reading tomorrow.

On motion of Mr. Myers, the vote by which senate bill No. 176 was referred to a special committee was reconsidered.

Mr. Myers moved to refer to the committee on federal relations.

Mr. Cross moved to amend to committee on commerce.

The amendment prevailed and the bill was so referred.

Senate bill No. 185. Mr. Willis. (By unanimous consent.) A bill for an act to amend section 7 of an act entitled an act to provide a state board of equalization, to prescribe the manner of its creation and its powers and duties, passed by the legislative assembly of the state of Oregon at its sixteenth regular session.

Senate bill No. 185 was read first time and passed to second reading without question.

Senate bill No. 186. Mr. Vanderburg. (By unanimous consent.) A bill for an act to create the office of state auditor, prescribe his powers and duties, manner and time of his election, and to provide for his compensation; to abolish the state board of equalization as now constituted, and impose their powers and duties on the governor, secretary of state, and state auditor; to amend sections 1, 8, 9, and 10, and repeal sections 2, 4, and 5 of an act entitled "An act to provide a state board of equalization, to prescribe the manner of its creation, and its powers and duties," filed in the office of the secretary of state, February 21, 1891.

Mr. Vanderburg moved that the rules be suspended and that senate bill No. 186 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodeson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Matlock and McGinn—2.

So the rules were suspended and senate bill No. 186 was read first time by title and passed to second reading without question.

House bill No. 27 coming on for second reading was read second time and ordered to third reading tomorrow.

Mr. Hirsch, chairman of the committee on ways and means, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1893. }

*Mr. President:*

Your committee on ways and means, to whom was referred house bill No. 45, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

EDWARD HIRSCH,  
Chairman.

On motion of Mr. Hirsch, house bill No. 45 was ordered to third reading tomorrow.

House bill No. 20 coming on for second reading, was read second time.

On motion of Mr. Raley, the bill was referred to a special committee consisting of the senators from Umatilla county.

On motion of Mr. Willis, senate bill No. 75 was taken from the table.

Senate bill No. 75 was read third time.

On motion of Mr. Willis, senate bill No. 75 was considered as on second reading.

Mr. Willis submitted the following amendment:—

#### AMENDMENT.

By adding thereto "and no person shall receive from this state any pay for his services as clerk of any such legislative assembly or of either branch or house thereof, or of any committee or officer of

either, if such person be related within the third degree of kindred, either by consanguinity or affinity to any member of either such houses or branches."

Mr. Willis moved the adoption of the amendment.

Mr. Raley moved to amend by indefinitely postponing further consideration of the amendment.

Messrs. Willis and Crosno called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Cameron, Denny, Dodson, Hirsch, Huston, Maxwell, McAlister, Raley, Steiwer, Veatch, and Weatherford—13.

Nays—Messrs. Alley, Bancroft, Butler, Cogswell, Cross, Gates, Hayes, Looney, Myers, Smith, Vanderburg, Willis, Woodard, and Mr. President—14.

Not voting—Mr. Crosno—1.

Absent—Messrs. Matlock and McGinn—2.

So the senate refused to indefinitely postpone.

Mr. Huston moved that senate bill No. 75, with the proposed amendment, be referred to a select committee consisting of the junior senators from Clackamas and Linn counties—Mr. Hayes and Mr. Myers.

Mr. Alley moved to amend by including Mr. McGinn and Mr. Huston.

The amendment was adopted.

The motion as amended was adopted, and senate bill No. 75 with the amendment, was so referred.

The president announced that he had just received a dispatch announcing the death of Hon. James G. Blaine.

Mr. Huston moved that the president of the senate appoint a committee of three to draft suitable resolutions to the memory of Hon. James G. Blaine and Supreme Judge L. Q. C. Lamar.

The motion was carried.

The president appointed as such committee Senators Willis, Cross, and Huston.

Mr. Dodson moved that when the senate adjourn it do adjourn to meet on Monday, January 30th, at 2 P. M.

The motion was carried.

Mr. Dodson, chairman of the committee on counties, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1893. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 74, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

O. M. DODSON,  
Chairman.

On motion of Mr. Dodson, senate bill No. 74 was ordered engrossed and to third reading tomorrow.

Mr. Dodson, chairman of the committee on counties, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1893. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 144, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. M. DODSON,  
Chairman.

On motion of Mr. Dodson, senate bill No. 144 was ordered engrossed and to third reading tomorrow.

Mr. Dodson, chairman of the committee on counties, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1893. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 136, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. M. DODSON,  
Chairman.



On motion of Mr. Dodson, senate bill No. 136 was ordered engrossed and to third reading tomorrow.

Mr. Dodson, chairman of the committee on counties, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1893. }

*Mr. President:*

Your committee on counties to whom was referred senate bill No. 143, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out all after the word "meridian," in line 24, printed bill, to and including the words "Owyhee river," in line 26, printed bill, and insert the following in lieu thereof: "thence in an easterly direction to the summit of Burnt river mountains, in township 15 south, of range 36 east; thence easterly and following the summit of said Burnt river mountains to the intersection of the south boundary line of township 14 south, of range 43 east; thence east on the said south boundary line of township 14 to the middle of the channel of Snake river between the state of Oregon and the state of Idaho."

O. M. DODSON,  
Chairman.

On motion of Mr. Dodson, the report was adopted.

On motion of Mr. Dodson, senate bill No. 143 was ordered engrossed and to third reading tomorrow.

Mr. Woodard, chairman of the committee on elections, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1893. }

*Mr. President:*

Your committee on elections, to whom was referred house joint resolution No. 3, beg leave to report that we have had the same under consideration, and respectfully report the following substitute for the same and recommend that it be adopted.

C. H. WOODARD,  
Chairman.

## HOUSE JOINT RESOLUTION NO. 3.

Proposing an amendment to the constitution of the state of Oregon.

*Resolved by the House, the Senate concurring,* That the following amendment to the constitution of the state of Oregon be and is hereby proposed:—

Section 2. In all elections not otherwise provided for by this constitution, every male citizen of the United States, of the age of twenty-one years and upwards, who can write his name and who can read the constitution of the United States in the English language, shall be entitled to vote at all elections authorized by law; but registration laws may be enacted by the legislative assembly.

Mr. Woodard moved the adoption of the amendment.

Messrs. Veatch and Huston called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Butler, Cameron, Denny, Gates, Hayes, Maxwell, Willis, Woodard, and Mr. President—10.

Nays—Messrs. Beckley, Blackman, Cogswell, Crosno, Cross, Dodson, Hirsch, Huston, Looney, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, and Veatch—16.

Absent—Messrs. Alley, Matlock, McGinn, and Weatherford—4.

The senate refused to adopt the amendment.

On motion of Mr. Woodard, the resolution and amendment was referred to the committee on judiciary.

Mr. Woodard, chairman of the committee on elections, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1893. }

*Mr. President:*

Your committee on elections, to whom was referred house joint resolution No. 4, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

C. H. WOODARD,  
Chairman.

On motion of Mr. Weatherford, further consideration of house joint resolution No. 4 was indefinitely postponed.

Mr. Woodard, chairman of the committee on elections, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1893. }

*Mr. President:*

Your committee on elections, to whom was referred senate bill No. 87, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

C. H. WOODARD,  
Chairman.

On motion of Mr. Bancroft, senate bill No. 87 was referred to the committee on judiciary.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 26, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 46,—a bill for an act to exempt homesteads from attachment and judicial sale.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 27, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 32 and 67.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced he was about to sign senate bill No. 32 and senate bill No. 67 and soon thereafter that he had signed them.

By unanimous consent, Mr. Alley introduced senate concurrent resolution No. 15.

## SENATE CONCURRENT RESOLUTION NO. 15.

In honor of those distinguished statesmen, James G. Blaine and Rutherford B. Hayes, and in honor of that distinguished justice of the supreme court, L. Q. C. Lamar, whose deaths have recently occurred, be it

*Resolved by the Senate, the House concurring,* That we now adjourn.

On motion of Mr. Alley, the resolution was adopted.

Mr. Denny, chairman of the committee on judiciary, submitted the following reports:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 23, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Strike out the word "absolutely" from lines 3 and 4 of the printed bill, and from line 5 of the original bill.

## AMENDMENT.

Strike out the words "the creditors of the mortgagee and against" in line 4 of the printed bill, and in lines 5 and 6 of the original bill.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted, and senate bill No. 23 was ordered engrossed and to third reading tomorrow.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 157, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate without recommendation.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, senate bill No. 157 was ordered engrossed and to third reading tomorrow.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 63, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

#### AMENDMENT.

Strike out all after the enacting clause and insert the following:

Section 1. That section 2992 of chapter XX. of Hill's annotated laws of Oregon, compilation of 1887, be and the same is hereby amended to read as follows:—

Sec. 2992. The property and pecuniary rights of every married woman at the time of her marriage, or afterwards acquired, shall not be subject to the debts or contracts of her husband, and she may manage, sell, convey, or devise the same by will to the same extent and in the same manner that her husband can property belonging to him.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Denny, senate bill No. 63 was ordered engrossed and to third reading tomorrow.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
January 27, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 27, appointing committee of both houses to draft resolutions of respect for adoption by legisla-

tive assembly in memory of the late Hon. James G. Blaine and ex-President R. B. Hayes.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 27.

*Resolved by the House, the Senate concurring,* That a joint committee of three from the house and two from the senate be appointed to draft proper resolutions for adoption by the legislative assembly of Oregon in respect to the memory of the late Hon. James G. Blaine and ex-President R. B. Hayes.

Mr. Weatherford moved to amend by inserting the name of Hon. L. Q. C. Lamar, justice of the supreme court of the United States.

The amendment was adopted.

The resolution as amended was adopted.

On motion of Mr. Cogswell, the motion by which a committee was appointed to draft suitable resolutions relative to the death of the late distinguished James G. Blaine and L. Q. C. Lamar, was reconsidered, the senate having concurred in house concurrent resolution No. 27, relative to the same.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 30, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

In section 1, line 2, of printed bill, strike out the words "one thousand dollars" and insert in lieu thereof the words "fifteen hundred dollars."

#### AMENDMENT.

Amend section 2 by inserting after the word "title," in line 5 of printed bill, the following words: "together with a general description of the lands claimed for a homestead and signed by said home-

stead and attested by the clerk or recorder, for which the clerk or recorder may charge the sum of fifty cents."

#### AMENDMENT.

That section 4 be amended so as to read as follows:

Section 4. When any person seized of a homestead dies, leaving a widow, or a husband, or a minor child or children, such widow, or husband, or minor child or children, shall be entitled to the possession of said homestead in like manner as such deceased person was before his or her death, during the lifetime of said wife or husband, if one. If there is no wife or husband, then the children of said deceased shall be entitled to the possession of said homestead until they arrive at the age of majority; but if said person leaves no wife, or husband, or minor child or children, then said homestead shall be administered upon, and the proceeds applied the same as other real property of such deceased.

#### AMENDMENT.

That section 5 be amended so as to read as follows:

Section 5. Such homestead shall not exceed fifteen hundred dollars in value, nor exceed 160 acres in extent, if not located in town or city laid off into blocks and lots; if located in any such town or city, then it shall not exceed one block; but in no instance shall such homestead be reduced to less than 20 acres nor one lot, regardless of value.

#### AMENDMENT.

That section 6 be amended so as to read as follows:

Section 6. Nothing in this act shall be construed to prevent any owner of a homestead from voluntarily mortgaging or selling or otherwise disposing of such homestead; *provided, however*, that no such homestead shall be leased, or mortgaged, or sold, or otherwise transferred without the husband or wife of such homesteader, if there be one, consenting thereto by voluntarily executing the same in the same manner and form as deeds are now executed, and no such lease, mortgage, or transfer of such homestead shall be valid without the same be so voluntarily executed by the wife or husband of such homesteader.

#### AMENDMENT.

In section 8, line 1, of printed bill, strike out the words "one thousand dollars" and insert in lieu thereof the words "fifteen hundred dollars."

## AMENDMENT.

That section 7 be stricken out.

## AMENDMENT.

That section 8 be stricken out.

## AMENDMENT.

That section 9 be stricken out.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.  
Senate bill No. 30 was ordered engrossed and to third reading tomorrow.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 27, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 15.

And the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

Pursuant to senate concurrent resolution No. 15, the senate stood adjourned.

O. P. MILLER,  
Chief clerk.

MONDAY, JANUARY 30, 1893.

## AFTERNOON SESSION.

SENATE CHAMBER, }  
SALEM, Oregon, }  
January 30, 1893. }

The senate was called to order at 2 o'clock P. M. by the president.  
The roll was called, and all senators were present except Senator Looney.

The senate was opened with prayer by Rev. Robert Whitaker, pastor of the Baptist Church of Salem.



On motion of Mr. Blackman, the reading of the journal was dispensed with.

House bill No. 87 coming on for second reading, was read second time.

On motion of Mr. Cogswell, the bill was ordered to a third reading tomorrow.

House bill No. 49 coming on for second reading, was read second time.

On motion of Mr. Veatch, the bill was referred to the committee on corporations.

Mr. McGinn, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 15, 37, 46, 42, 101, 97, 69, 44, 22, 56, 34, 28, 105, 104, 62, 153, 51, 30, 143, 157, 23, 136, 144, 63, and 74, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

By unanimous consent, Mr. Denny, chairman of the committee on judiciary, submitted the following reports:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate joint resolution No. 4, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do adopt the same.

O. N. DENNY,  
Chairman.

Mr. Denny moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Mat-

lock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President — 27.

Nays — Mr. Veatch — 1.

Absent — Messrs. Butler and Looney — 2.

So the resolution was adopted.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate joint resolution No. 6, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do adopt the same.

O. N. DENNY,  
Chairman.

Mr. Denny moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Cross, Denny, Dodson, Gates, Matlock, Maxwell, McGinn, Raley, Steiwer, Vanderburg, Willis, Woodard, and Mr. President — 14.

Nays — Messrs. Beckley, Blackman, Cameron, Cogswell, Crosno, Hayes, Hirsch, Huston, McAlister, Myers, Smith, Veatch, and Weatherford — 13.

Absent — Messrs. Butler and Looney — 2.

Not voting — Mr. Alley — 1.

So the senate refused to adopt senate joint resolution No. 6.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house joint resolution No. 1, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do concur in the same.

O. N. DENNY,  
Chairman.

Mr. Denny moved that the senate do concur.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Maxwell, McAlister, McGinn, Steiwer, Vanderburg, Willis, Woodard, and Mr. President. — 21.

Nays — Messrs. Raley, Smith, Veatch, and Weatherford — 4.

Absent — Messrs. Butler and Looney — 2.

Not voting — Messrs. Cogswell, Matlock, and Myers — 3.

So house joint resolution No. 1 was concurred in by the senate.

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house joint resolution No. 2, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do concur in the same.

O. N. DENNY,  
Chairman.

Mr. Cogswell moved that the senate do concur.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President — 28.

Absent — Mr. Looney — 1.

Not voting — Mr. Matlock — 1.

So the senate concurred in the adoption of house joint resolution No. 2.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
January 30, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has recalled senate bill No. 31, upon motion of Mr. Baughman, for reconsideration by the house.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 30, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate amendments to house concurrent resolution No. 27, appointing committee to draft resolutions of respect, and that the speaker has appointed, on the part of the house, Messrs. Geer of Clackamas, Goodrich, and Nickell.

D. C. SHERMAN,  
 Chief clerk.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 January 30, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 31, beg leave to report the same back to the senate.

P. P. GATES,  
 Chairman.

Pursuant to instructions, the chief clerk of the senate transmitted senate bill No. 31 to the house.

House bill No. 119 coming on for second reading, was read second time.

On motion of Mr. Raley, the bill was ordered to third reading tomorrow.

House bill No. 109 coming on for second reading, was read second time.

On motion of Mr. Huston, the bill was ordered to a third reading tomorrow.

House bill No. 106 coming on for second reading, was read second time.

On motion of Mr. Cogswell, the bill was referred to the committee on judiciary.

House bill No. 38 coming on for second reading, was read second time.

On motion of Mr. Raley, the bill was referred to a special committee consisting of the senators from Umatilla county.

House bill No. 18 coming on for second reading, was read second time.

On motion of Mr. Huston, the bill was referred to the committee on corporations.

House bill No. 75 coming on for second reading, was read second time.

On motion of Mr. Denny, the bill was referred to the committee on judiciary.

On motion of Mr. Huston, the courtesies of the senate were extended to Prof. John M. Bloss, and he was invited to a seat within the bar of the senate.

House bill No. 102 coming on for second reading, was read second time.

On motion of Mr. Weatherford, the bill was referred to the committee on judiciary.

House bill No. 103 coming on for second reading, was read second time.

On motion of Mr. Cogswell, the bill was referred to the committee on judiciary.

House bill No. 286 coming on for second reading, was read second time.

On motion of Mr. Weatherford, the bill was ordered to third reading tomorrow.

House bill No. 275 coming on for second reading, was read second time.

On motion of Mr. Steiwer, the bill was ordered to third reading tomorrow.

House bill No. 41 coming on for second reading, was read second time.

On motion of Mr. Weatherford, the bill was referred to the committee on federal relations.

House bill No. 77 coming on for second reading, was read second time.

On motion of Mr. Cogswell, the bill was referred to the committee on judiciary.

House bill No. 27 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Nays—None.

Absent—Messrs. Looney and Matlock—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 56 coming on for third reading, was read third time.

Mr. Cogswell moved to refer house bill No. 56 to the committee on counties, with instructions to amend, as follows:—

Strike out all of section 1 and change section 2 so as to read section 1 and section 3 so as to read section 2.

Mr. Raley moved the following amendment:—

I move to amend the motion to refer with instructions to strike out the word "Umatilla" wherever it may appear in house bill No. 56.

J. H. RALEY.

The amendment was adopted.

The motion as amended was adopted, and the bill was so referred.

House bill No. 45 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosby, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Nays—Mr. Huston—1.

Absent—Mr. Looney—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

By unanimous consent, Mr. Hirsch, by request, introduced senate joint resolution No. 7.

#### SENATE JOINT RESOLUTION NO. 7.

*Resolved by the Senate, the House concurring,* That the following amendment to the constitution of the state of Oregon be and is hereby adopted:—

Section 2 of article II. shall be amended by striking out the words "white male" wherever these words occur in connection with said article.

Section 2. The power to extend the elective franchise in conformity with this amendment shall be vested with the legislative assembly.

On motion of Mr. Hirsch, senate joint resolution No. 7 was referred to the committee on judiciary.

Mr. Maxwell, chairman of the committee on printing, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1893. }

*Mr. President:*

Your committee on printing to whom was referred senate bill No. 132, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

J. W. MAXWELL,  
Chairman.

On motion of Mr. Maxwell, further consideration of senate bill No. 132 was indefinitely postponed.

Mr. Cross, chairman of the committee on roads and highways, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1893. }

*Mr. President:*

Your committee on roads and highways, to whom was referred senate bill No. 99, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

H. E. CROSS,  
Chairman.

On motion of Mr. Cross, senate bill No. 99 was ordered engrossed and to third reading tomorrow.

Mr. Raley, chairman of the special committee, to whom was referred house bill No. 20, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January —, 1893. }

*Mr. President:*

We, your special committee, to whom was referred house bill No. 20, beg leave to report that we have had the same under considera-

tion, and respectfully report it back with the recommendation that it do pass with the following amendment:

AMENDMENT.

On page 5 of the printed bill, in line 18, after the word "license" insert the words "be issued."

J. H. RALEY,  
Chairman.

On motion of Mr. Raley, the report was adopted.

On motion of Mr. Raley, house bill No. 20 was ordered to third reading tomorrow.

Senate bill No. 187. Mr. Cogswell (by request). A bill for an act to provide for locating, opening, operating, and maintaining of public rights of way for flumes, chutes, and roads along non-navigable streams, to be used for logging and lumbering purposes; to condemn rights of way therefor, and to provide compensation for the use of lands condemned for such purposes, and to repeal an act passed therefor, approved February 25, 1889, and printed on pages 57, 58, 59, 60, 61, 62, and 63 of the 1889 session laws of this state.

Senate bill No. 187 was read first time.

Mr. Cogswell moved that the rules be suspended and that senate bill No. 187 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—24.

Nays—Messrs. Huston and Veatch—2.

Absent—Messrs. Blackman, Crosno, Looney, and Steiwer—4.

So the rules were suspended and senate bill No. 187 was read second time by title only.

On motion of Mr. Cogswell, the bill was referred to the committee on roads and highways.

Senate bill No. 188. Mr. Blackman. An act to amend the charter of the town of Long Creek, filed in the office of the secretary of state, February 18, 1891.

Senate bill No. 188 was read first time.

Mr. Blackman moved that the rules be suspended and that senate bill No. 188 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Matlock,



Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—26.

Nays—Messrs. Huston and Veatch—2.

Absent—Messrs. Crosno and Looney—2.

So the rules were suspended and senate bill No. 188 was read second time by title only.

On motion of Mr. Blackman, the bill was referred to the committee on corporations.

Senate bill No. 189. Mr. Maxwell. A bill for an act to provide a health officer for Tillamook bay.

Senate bill No. 189 was read first time and passed to second reading without question.

Senate bill No. 190. Mr. Cross. An act to incorporate the city of Aurora, Marion county, Oregon.

Senate bill No. 190 was read first time.

Mr. Cross moved that the rules be suspended and that senate bill No. 190 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Dodson, Gates, Hayes, Hirsch, Matlock, Maxwell, McAlister, McGinn, Myers, and Mr. President—17.

Nays—Messrs. Bancroft, Huston, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, and Woodard—9.

Absent—Messrs. Crosno, Looney, and Weatherford—3.

Not voting—Mr. Denny—1.

So the senate refused to suspend the rules.

Senate bill No. 191. Mr. Raley. A bill for an act to authorize and empower the city of Pendleton to construct and maintain a system of sewerage therein; to incur an indebtedness therefor; to issue bonds, and to purchase and own real property.

Senate bill No. 191 was read first time and passed to second reading without question.

Senate bill No. 192. Mr. Matlock. A bill for an act to provide for the location and construction of a branch insane asylum in the eastern portion of Oregon, and appropriating money therefor.

Senate bill No. 192 was read first time.

Mr. Matlock moved that the rules be suspended and that senate bill No. 192 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Dodson, Matlock, McAlister, McGinn, Myers, Raley, Weatherford, and Mr. President—15.

Nays—Messrs. Bancroft, Denny, Hayes, Huston, Maxwell, Smith, Steiwer, Vanderburg, Veatch, Willis, and Woodard—11.

Absent—Messrs. Crosno, Gates, Hirsch, and Looney—4.

So the senate refused to suspend the rules.

Senate bill No. 193. Mr. Smith. A bill for an act relating to animals running at large in Sherman county.

Senate bill No. 193 was read first time and passed to second reading without question.

Senate bill No. 194. Mr. Willis. A bill for an act to amend section 2741 of the laws of Oregon, as compiled by W. Lair Hill, relating to assessments and taxation.

Senate bill No. 194 was read first time and passed to second reading without question.

Senate bill No. 195. Mr. Maxwell. A bill for an act to authorize the county of Tillamook to build a bridge across Tillamook river.

Senate bill No. 195 was read first time and passed to second reading without question.

Senate bill No. 196. Mr. Weatherford. An act to authorize the state of Oregon, through its board of canal commissioners, to take and appropriate to its own use the Willamette falls and locks, to ascertain their value, to pay for and operate the same, to regulate the rates of toll, and to exercise all the necessary supervision and control over the same in all manner necessary to the procurement of their full earning revenue, to sue for and condemn private or any property for all purposes necessary in any way connected therewith, to charge and collect tolls for freight and passengers passing through the same, and to appropriate money therefor.

Senate bill No. 196 was read first time and passed to second reading without question.

Senate bill No. 197. Mr. Willis. A bill for an act to secure a more convenient mode of making assessments and of collecting and paying taxes.

Senate bill No. 197 was read first time and passed to second reading without question.

Senate bill No. 198. Mr. Maxwell. A bill for an act for the relief of S. M. Hardman.

Senate bill No. 198 was read first time and passed to second reading without question.

Senate bill No. 165 coming on for second reading, was read second time.

On motion of Mr. Woodard, the bill was referred to the committee on judiciary.

Senate bill No. 37 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Huston, Matlock, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—24.

Nays—Mr. Willis—1.

Absent—Messrs. Crosno, Hayes, Hirsch, Looney, and Maxwell—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 46 coming on for third reading, was read third time.

On motion of Mr. Weatherford, the bill was referred to the committee on judiciary for amendment.

Senate bill No. 42 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Nays—None.

Absent—Mr. Looney—1.

So the bill passed.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Hirsch, the senate adjourned.

O. P. MILLER,  
Chief clerk.

TUESDAY, JANUARY 31, 1893.

MORNING SESSION.

SENATE CHAMBER,

SALEM, Oregon,

January 31, 1893. }

The senate was called to order at 10 o'clock A. M. by the president. The roll was called, and all the senators were present.

On motion of Mr. Myers, the reading of the journal was dispensed with.

By unanimous consent, Mr. Looney introduced senate resolution No. 24.

SENATE RESOLUTION NO. 24.

*Resolved*, That the president of the senate be directed to appoint a committee of two senators, whose duty it shall be, in connection with the chief clerk and such other help as the committee may deem necessary, to examine and correct every error that may appear on the journals of the senate, and the said committee shall then approve the same; and the said committee be allowed such time, not exceeding twenty days, as they may deem necessary to complete the records, and file all papers with the secretary of state, and their per diem shall be the same as that of the chief clerk.

Mr. Looney moved the adoption of the resolution.

Mr. Cross moved to amend by striking out the word "twenty" and insert in lieu thereof the word "ten."

Mr. Weatherford moved to lay the resolution on the table.

The motion prevailed and the resolution went to the table.

On motion of Mr. Myers, the courtesies of the senate were extended to Professor Johnson, and he was invited to a seat within the bar of the senate.

Mr. Cross, from the committee on roads and highways, with leave to report at any time, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 169, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

H. E. CROSS,  
Chairman.

On motion of Mr. Cross, senate bill No. 169 was ordered engrossed and to third reading tomorrow.

On motion of Mr. Cogswell, the vote by which house bill No. 56 was referred to the committee on counties was reconsidered.

Mr. Cogswell submitted the following amendment:—

## AMENDMENT.

Amend the title so that it will read: "A bill for an act to repeal section 2370 of chapter XI., title II., of Hill's annotated laws of Oregon."

Strike out all after the enacting clause and insert in lieu thereof, as follows:—

Section 1. That section 2370 of chapter XI., title II., of Hill's annotated laws of Oregon, be and the same is hereby repealed.

On motion of Mr. Cogswell, house bill No. 56, with the amendments, was referred to the committee on counties.

Senate bill No. 56 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Nays—None.

Absent—Messrs. Alley and Hayes—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 44 coming on for a third reading, was read third time.

By unanimous consent, senate bill No. 44 was considered as on second reading for the purpose of amendment.

Mr. Cross submitted the following amendment:—

## AMENDMENT.

After the words "United States," in line 8 of printed bill, insert "or in any foreign country."

On motion of Mr. Cogswell, senate bill No. 44 was re-referred to the committee on judiciary.

Senate bill No. 69 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron,

Cogswell, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Nays—None.

Not voting—Mr. Denny—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 199. Mr. Gates. (By unanimous consent.) A bill for an act for the relief of J. J. Hembree. Whereas by an act of the legislative assembly of the state of Oregon, approved February 15, 1889, the sum of four hundred and seventy-eight dollars (\$478) was appropriated for the purpose of paying certain territorial warrants, named by number therein, and issued to A. J. Hembree, deceased; and whereas J. J. Hembree, former administrator and one of the heirs of the estate of A. J. Hembree, is the owner and holder, for consideration, of said warrants, which were taken by him as a portion of said estate as one of the heirs thereto, and is therefore entitled to said money; and whereas said money so appropriated has never been paid to said J. J. Hembree or to any one, but remains in the state treasury.

Senate bill No. 199 was read first time and passed to second reading without question.

On motion of Mr. Hirsch, the courtesies of the senate were extended to Hon. John W. Minto, and he was invited to a seat within the bar of the senate.

Senate bill No. 28 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—30.

Nays—None.

So the bill passed.

On motion of Mr. Steiwer, the title was amended by striking out the word "town" and inserting the word "city."

The title so amended was ordered to stand as the title of the act.

By unanimous consent, Mr. Matlock introduced senate concurrent resolution No. 16.

## SENATE CONCURRENT RESOLUTION NO. 16.

*Resolved by the Senate, the House concurring,* That a joint committee of five be appointed, two from the senate and three from the house, to investigate the accounts and affairs of the state board of agriculture.

On motion of Mr. Matlock, the resolution was adopted.

By unanimous consent, Mr. Gates introduced senate concurrent resolution No. 17.

## SENATE CONCURRENT RESOLUTION NO. 17.

*Be it resolved by the Senate, the House concurring,* That the joint committee appointed under senate concurrent resolution No. 7 be and hereby are authorized to call witness and take testimony affecting the management of the Oregon insane asylum.

On motion of Mr. Gates, the resolution was adopted.

By unanimous consent, Mr. Denny introduced senate joint resolution No. 8.

## SENATE JOINT RESOLUTION NO. 8.

*Resolved by the Senate, the House concurring,* That our senators and representative in congress be requested to use all honorable means to secure the annexation of the Hawaiian Islands to the United States, and that the secretary of state be directed to telegraph this resolution to our representatives in congress.

On motion of Mr. Weatherford, senate joint resolution No. 8 was referred to the committee on federal relations, with leave to report at any time.

Senate bill No. 101 coming on for third reading, was read third time.

By unanimous consent, senate bill No. 101 was considered as on second reading for the purpose of amendment.

Mr. Weatherford submitted the following amendments:—

## AMENDMENT.

In line 3 of printed bill, strike out the word "five" and insert the word "four."

## AMENDMENT.

In line 3 of printed bill, strike out the word "equal" and insert the word "exceed."

## AMENDMENT.

In section 2, line 4, strike out the word "five" and insert the word "four"; also in line 4 of section 2, after the word "inhabitants" insert the words "or more."

## AMENDMENT.

In line 10, section 1, insert the word "take" between the words "shall" and "effect"; also same line and section strike out the words "the same."

On motion of Mr. Weatherford, the amendments were adopted, and the clerk was instructed to amend the bill as above.

The clerk made the amendments as instructed.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Nays—Mr. Raley—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Huston, the courtesies of the senate were extended to ex-Senator A. S. Watt, and he was invited to a seat within the bar of the senate.

On motion of Mr. Dodson, the courtesies of the senate were extended to Hon. James Johnson, and he was invited to a seat within the bar of the senate.

On motion of Mr. Steiwer, the vote by which senate bill No. 28 was passed was reconsidered.

By unanimous consent, senate bill No. 28 was considered as on second reading for the purpose of amendment.

Mr. Steiwer asked unanimous consent to have the chief clerk insert the enacting clause in the bill, the same being deficient.

There being no objection, the clerk inserted the enacting clause.

Third reading of senate bill No. 28 after reconsideration.

The bill having been read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron,



Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—30.

Nays—None.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 97 coming on for third reading, was read third time.

By unanimous consent, senate bill No. 97 was considered as on second reading for amendment.

Mr. Weatherford moved that senate bill No. 97 be referred to the committee on judiciary for amendment.

Mr. Cogswell moved to amend and refer the bill to the committee on public lands.

Mr. Hirsch moved to amend the amendment and refer the bill to the committee on education.

The amendment to the amendment was lost.

The amendment to refer to the committee on public lands prevailed.

The motion as amended was adopted, and the bill was so referred.

On motion of Mr. McGinn, the courtesies of the senate were extended to Hon. John Catlin and Hon. E. W. Bingham, and they were invited to seats within the bar of the senate.

Senate bill No. 15 coming on for third reading, was read third time.

For the purpose of amendment by unanimous consent, senate bill No. 15 was considered as on second reading.

Mr. Weatherford submitted the following amendment:—

#### AMENDMENT.

In section 3, after the word "thereof," insert the following: "*provided*, that this section shall not apply to dogs in pursuit of deer or varmints."

On motion of Mr. Weatherford, the amendment was adopted.

The chief clerk was instructed to amend the bill as above.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Maxwell, McAlister, McGinn, Myers, Steiwer, Weatherford, Woodard, and Mr. President—20.

Nays—Messrs. Beckley, Cameron, Crosno, Hirsch, Matlock, Raley, Smith, Vanderburg, Veatch, and Willis—10.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 17.

And the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 129,—a bill for an act to amend section 9 of an act entitled an act to create a Southern Oregon board of agriculture, to define their duties and to appropriate money therefor, approved February 25, 1889.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 30, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house joint resolutions Nos. 1 and 2.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 30, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 235.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 16.

And the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 82,—a bill for an act to amend sections 3587 and 3593 (relating to the rate of interest) of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 30, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 233,—a bill for an act to provide for the com-

pletion of the uniforming and equipment of the Oregon national guard,

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 30, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house concurrent resolution No. 9.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 30, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 3,—a bill for an act to amend section 2418 of the miscellaneous laws of Oregon, creating a recorder for Multnomah county and his duties, and the books to be kept by him.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 30, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 283,—a bill for an act to amend section 3238 of title I., chapter XXXII., of the miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate joint resolution No. 3, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 31, with the amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## AMENDMENT.

In chapter VII., section XLI., line 2, the words "three thousand dollars" shall be amended so as to read "five hundred dollars."

## AMENDMENT.

Section 50, article XLV., shall be amended as follows: "To borrow money on the faith of the town, or to loan the credit thereof, or both, not to exceed in the aggregate the sum of five hundred dollars, except as in the act otherwise specially provided."

## AMENDMENT.

Add to section 128: "but the bonds issued under the provisions of sections 121, 127, and 128 of this act shall not in any case exceed in the total sum of either class, or in the aggregate sum of all the classes the sum of 10 per cent of the total taxable value of property in said town, as shown by the last assessment last preceding the issue thereof, and no bid for such bonds or any part of the same shall be accepted that is less advantageous to the town than par for an 8 per cent bond."

On motion of Mr. Alley, the senate concurred in the house amendments to senate bill No. 31.

Senate bill No. 31 was ordered enrolled.

The president announced he was about to sign house joint resolutions Nos. 1 and 2, house bill No. 235, and house concurrent resolution No. 9, and announced soon thereafter that he had signed them.

Mr. Myers moved to adjourn.

Lost.

Senate bill No. 51 coming on for third reading, was read third time.

Pending the vote on senate bill No. 51, on motion of Mr. Cross, the senate adjourned.

O. P. MILLER,  
Chief clerk.

### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1893. }

The senate was called to order at 2 o'clock P. M. by the president.

The roll was called, and all the senators were present except Mr. Hirsch.

The president announced that he had appointed under senate concurrent resolution No. 16, to investigate the books and accounts of the state board of agriculture, Messrs. Looney and McAlister.

The president presented the following communication from United States Senator Dolph:—

### COMMUNICATION.

UNITED STATES SENATE,  
WASHINGTON, D. C.,  
January 25, 1893. }

*Hon. C. W. Fulton, President of the Senate, Salem, Oregon—*

MY DEAR SIR: I send you herewith a map of Oregon showing the boundaries of the proposed Cascade reservation. My attention was called to the matter by the secretary of the interior the day it was transmitted to the president for proclamation. I was not aware that there was a proposition pending for so large a reservation. Upon learning that Mr. Hermann had been in communication with the department about it, I could only say to the secretary that I knew of no objection to it. The day following I received a tele-

gram from parties in Oregon saying that the creation of a reservation with the proposed boundries would create dissatisfaction, and asking to have the matter held up. I accordingly telegraphed to the president, asking that action in the matter should be postponed, and the secretary has withdrawn the papers from the president. My own impression is that the boundaries do not embrace land suitable for agriculture, and that it would be a good thing for the state to have the reservation made. Such a reservation would preserve the forests and protect the mountains from being denuded, and would probably tend to preserve game within its limits; but I do not feel at liberty to recommend the reservation at present.

I observe by the papers that some action by the Oregon legislature has been proposed. Should the legislature approve of the reservation, I shall be very glad to recommend it; should they disapprove of it, I shall be glad to endeavor to have the boundaries changed to meet their approval. I send the map to you in order that the members of the legislature may be informed as to the proposed boundaries, so as to take action, if action is to be taken, upon the matter intelligently.

Yours sincerely,

J. N. DOLPH.

On motion of Mr. Willis, the communication was referred to the committee on public lands.

On motion of Mr. Raley, the courtesies of the senate were extended to Hon. Henry C. Grady, and he was invited to a seat within the bar of the senate.

On motion of Mr. Weatherford, the courtesies of the senate were extended to Judge Chenoweth, and he was invited to a seat within the bar of the senate.

On motion of Mr. Hayes, the courtesies of the senate was extended to Hon. J. M. Tracy, and he was invited to a seat within the bar of the senate.

Senate bill No. 51 having been read the third time, was, by unanimous consent, considered as on second reading for the purpose of amendment.

Mr. Weatherford submitted the following amendment:—

#### AMENDMENT.

In line 30, page 2, after the word "may" insert the words "if in the judgment of the county court it is to the best interests of the county."

There being no objection, the amendment was inserted by the chief clerk.

Mr. Vanderburg moved to lay the bill on the table.

The motion was lost.

Mr. Alley submitted the following amendment:—

## AMENDMENT.

Insert after the word "distinct," in line 45, subdivision 4, the following: "and he shall forthwith proceed to expend said amount by contract or otherwise."

There being objections, the amendment was withdrawn.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Looney, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—Messrs. Huston, Matlock, Vanderburg, and Veatch—4.

Absent—Mr. Hirsch—1.

So the bill passed.

On motion of Mr. Cross, the title of the bill was amended by inserting after the word "amend" the words "section 4085 of," and the title of the bill was ordered to stand as the title of the act.

By unanimous consent, Mr. Cogswell, chairman of the committee on federal relations, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1893. }

*Mr. President:*

Your committee on federal relations, to whom was referred senate joint resolution No. 8, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be adopted.

C. A. COGSWELL,  
Chairman.

On motion of Mr. Cogswell, the report was adopted.

Mr. Denny moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Mr. Hirsch—1.

Not voting—Mr. Veatch—1.



So the resolution was adopted.

On motion of Mr. Myers, the courtesies of the senate were extended to Mr. Ira Campbell, and he was invited to a seat within the bar of the senate.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1893. }

*Mr. President :*

Your committee on engrossed bills, to whom was referred senate bills Nos. 83, 117, 26, and 99, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

By unanimous consent, Mr. Denny, chairman of the committee on judiciary, submitted the following reports:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1893. }

*Mr. President :*

Your committee on judiciary, to whom was referred senate bill No. 164, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

#### AMENDMENT.

Strike out all after the enacting clause and insert the following:

Section 1. That section 1 of an act entitled an act to protect hotel keepers, inn-keepers, and boarding-house keepers, approved February 25, 1889, be and the same is hereby amended so as to read as follows:—

Sec. 1. Hotel keepers, inn-keepers, lodging-house keepers, and boarding-house keepers shall have a lien upon the baggage, clothing, jewelry, and other valuables of their guests, lodgers, or boarders brought into such hotel, inn, lodging-house, or boarding-house by such guest, lodger, or boarder, for the reasonable charges due from such guests, lodgers, or boarders for their accommodation, board, or lodging, and such extras as are furnished at the request of such guest, lodger, or boarder; and such hotel keeper, inn-keeper, lodg-

ing-house keeper or boarding-house keeper may retain and hold possession of such baggage, clothing, jewelry, and other valuables until such charges be paid.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted and senate bill No. 164 was ordered engrossed and to third reading tomorrow.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 46, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:—

#### AMENDMENT.

After the word "age of," in line 2, section 1 of engrossed bill, strike out the word "ten" and insert in lieu thereof the word "sixteen"; also after the words "other firearm," in line 6, section 1 of engrossed bill, insert the words "within range of said firearm"; also after the words "other person," in line 7, section 1 of engrossed bill, insert the words "except in self defense"; also after the words "less than," in line 11, section 1 of engrossed bill, strike out the word "fifty" and insert in lieu thereof the word "ten."

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Weatherford, senate bill No. 46 was ordered engrossed and to third reading tomorrow.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 70, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

## AMENDMENT.

Section 1, line 1 of printed bill, after the words "within the state," insert the words "having a population of 2,500 according to the last official census made by the state or general government"; also in section 1, line 5 of printed bill, after the words "affected thereby" insert the words "to whom the cost of or"; also in section 1, line 6 of printed bill, after the words "notice of such" insert the words "improvement or."

## AMENDMENT.

Section 3, line 7 of printed bill, after the words "parcel of land," insert the words "or other property"; also in section 3, line 8, after the word "made" insert the words "or which bears or is chargeable"; also in section 3, line 9, after the words "parcel of land" insert the words "or other property"; also in section 3, line 10, after the words "parcel of land" insert the words "or other property"; also in section 3, line 11, after the words "lot of land," insert the words "or other property"; also in section 3, line 13, after the words "parcel of land" insert the words "or other property."

## AMENDMENT.

Section 5, line 1 of printed bill, after the words "so assessed," strike out the word "and" and in lieu thereof insert the words "and upon such property"; also in section 5, line 4, after the words "parcel of land" insert the words "or other property"; also in section 5, line 6, after the word "assessed," strike out the word "and" and in lieu thereof insert the words "or other property"; also in section 5, line 12, after the words "lien docketed" insert the words "or other property against which such lien exists"; also in section 5, line 13, after the word "assessment," strike out the word "and" and insert in lieu thereof the words "or amount"; also in section 5, line 17, after the words "parcel of land" insert the words "or other property."

## AMENDMENT.

Section 6, line 7 of printed bill, after the final words "may direct," add the words "*provided, however,* in lieu of such deposit, such fund may be used in payment of any obligation of the city."

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Bancroft, senate bill No. 70 was ordered engrossed and to third reading tomorrow.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 124, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, further consideration of senate bill No. 124 was indefinitely postponed.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 65, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

## AMENDMENT.

Section 1, subdivision 2, line 13 of printed bill, after the first word "the," strike out the words "point at which the principal" and insert in lieu thereof the words "principal office or"; also in the same section and subdivision, in lines 13 and 14, strike out the words "shall be situate and."

## AMENDMENT.

Section 3, line 3 of printed bill, strike out the words "the first year" and insert in lieu thereof the words "until the first meeting of the stockholders to be held at the time provided for by this act, or until their successors are elected and qualified."

## AMENDMENT.

Section 7, line 3 of printed bill, strike out the words "nor render such association amenable to the laws relating to usury."

## AMENDMENT.

Section 8, line 2 of printed bill, strike out the words and figures "one dollar (\$1.00) per year" and insert in lieu thereof the words and figures "ten (10) cents per month."

## AMENDMENT.

Section 11, line 3 of printed bill, after the words "non-contributing stock," insert the words "*provided*, that prepaid stock may be issued, upon which one cash payment shall be made in lieu of installments, and upon which a semi-annual dividend of not to exceed three (3) per cent on the amount paid for said stock, may be paid in cash before maturity, which said stock shall not be sold at less than fifty (50) per cent of its par value.

## AMENDMENT.

Section 12, lines 1 and 2 of printed bill, after the words "savings and loan association," strike out the words "heretofore or"; also in same section, in line 14, after the figures "\$25,000" and insert the words "desiring to operate and do business under this act"; also in same section and same line, after the word "shall" insert the words "within one year".

## AMENDMENT.

Section 13, line 1 of printed bill, after the words "secretary of," strike out the word "the"; also in same section strike out all the remainder of section 13 after the word "act" in line 3.

## AMENDMENT.

Section 15, strike out all of this section.

## AMENDMENT.

Section 16, strike out all that part of this section after the word "unless" at end of line 2 of printed bill, and insert in lieu thereof the words "such association shall have on deposit in trust for all its members and creditors, with the secretary of state of this state, or with some responsible trust company duly incorporated under the laws of this state and approved by the secretary of state, securities of the character mentioned in this act of the value of twenty-five thousand dollars (25,000), together with such additional amount as may be necessary to make the deposit of such association

in this state equal in amount to the deposit required of foreign associations by the laws of the state or territory under which said association is incorporated; *provided*, that foreign associations now doing business in this state shall have until August 1, 1893, to deposit the required excess over and above the twenty-five thousand dollars (25,000). A certificate of such deposit with such trust company shall be filed with the secretary of state of this state, certifying the possession of such securities, which said securities shall not thereafter be surrendered without authority or consent of the secretary of state."

AMENDMENT.

Section 17, strike out that part of this section after the word "second," in line 4 of printed bill, to the word "third," being the first word in line 8 of said section, and insert in lieu thereof the words "comply with sections sixteen (16) and twenty (20) of this act"; also in same section strike out that part after the word "association," in line 9 of printed bill, to the words "and also," in line 15, and insert in lieu thereof the words "appointing an attorney for such association, resident in this state, upon whom legal process may be served, and whose name and residence shall be stated in said resolution."

AMENDMENT.

Section 18, strike out all of this section.

AMENDMENT.

Section 20, line 7 of printed bill, after the words "business in," strike out the word "the" and insert in lieu thereof the word "this."

AMENDMENT.

Section 22, lines 2 and 3 of printed bill, after the words "capital of," strike out the words and figures "two million dollars (\$2,000,000)" and insert in lieu thereof "at least one hundred thousand dollars (\$100,000)."

AMENDMENT.

Section 27, line 1 of printed bill, change all of this line to read as follows: "Any officer, director, agent, or solicitor of any foreign building or loan, or savings and loan association." •

## AMENDMENT.

Section 28, line 1 of printed bill, strike out the word "or" after the word "director," and after the word "agent" insert the words "or solicitor."

## AMENDMENT.

Section 30, line 2 of printed bill, after the words "wholly to," strike out the word "its" and insert in lieu thereof the word "the"; also in same section and line after the word "county" insert the words "wherein it is located"; also in the same section and line after the word "counties" insert the word "immediately"; also in the same section in line 3 after the words "adjacent thereto" insert the words "and which does not employ agents or solicitors other than its secretary."

## AMENDMENT.

Section 31, strike out all of this section.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted, and senate bill No. 65 was ordered engrossed.

On motion of Mr. Hayes, senate bill No. 65 was ordered printed forthwith as amended.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house concurrent resolution No. 15, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do concur in the same upon being amended to read as follows:—

## AMENDMENT.

*Resolved by the House, the Senate concurring,* That there be appointed by Mr. Speaker a committee of three on the part of the house, to be known as the capitol improvement committee, to act in concert with a committee of two on the part of the senate; said committee to be particularly concerned with such measures as look to the improvement of acoustical conditions affecting the hall of the house of

representatives; *provided*, that it shall be the province and duty of said joint committee to examine into the present condition of the capitol building into the manner in which late additions and improvements have been contracted for and executed, upon the policy or impolicy of further additions at this time, and submit suggestions for the improvement of the acoustics of the hall of the house of representatives, and report to the two houses at this session.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

Mr. Weatherford moved that the senate concur in the adoption of house concurrent resolution No. 15 as amended.

The motion prevailed and the senate concurred.

Senate bill No. 83 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, McGinn, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—24.

Nays—None.

Absent—Messrs. Crosno, Maxwell, Myers, Raley, and Weatherford—5.

Not voting—Mr. Veatch—1:

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 26 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—None.

Absent—Messrs. Crosno, Dodson, Gates, Maxwell, and Raley—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.



Senate bill No. 22 coming on for third reading, was read third time.

By unanimous consent, senate bill No. 22 was considered as on second reading.

On motion of Mr. Bancroft, senate bill No. 22 was re-referred to the committee on judiciary for amendment.

Senate bill No. 34 coming on for third reading, was read third time.

By unanimous consent, senate bill No. 34 was considered as on second reading for amendment.

On motion of Mr. Weatherford, the chief clerk was instructed to strike out the word "application," in line 1, section 1, and insert in lieu thereof the word "affidavit"; and also strike out the words "in writing," in line 2, section 1.

There being no objection, the chief clerk made the corrections as instructed.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Blackman, Butler, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Huston, Matlock, Maxwell, McAlister, Smith, Willis, Woodard, and Mr. President—17.

Nays—Messrs. Alley, Beckley, Cameron, Hayes, Hirsch, Looney, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, and Weatherford—13.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Looney, the courtesies of the senate were extended to Hon. N. B. Knight, and he was invited to a seat within the bar of the senate.

On motion of Mr. Cross, the courtesies of the senate were extended to Hon. Wm. Barlow, and he was invited to a seat within the bar of the senate.

On motion of Mr. Steiwer, the courtesies of the senate were extended to Hon. E. L. Smith, and he was invited to a seat within the bar of the senate.

Substitute for senate bill No. 62 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston,

Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—26.

Nays—Messrs. Hirsch, McGinn, and Veatch—3.

Absent—Mr. Maxwell—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 104 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—Messrs. Maxwell and McGinn—2.

Absent—Mr. Veatch—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 96,—a bill for an act to amend sections 5, 6, and 14 of an act entitled "An act to be entitled an act to authorize the city of Astoria to erect a sea wall, and to grade the streets and construct sewers in connection therewith, and to issue sea wall bonds, and for other purposes relating thereto," filed in the office of the secretary of state, February 18, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 30, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house bill No. 115,—a bill for an act to distribute among the several counties within the state of Oregon all the money now in the office of the state treasurer derived from the five per centum of the sales of the public lands within the state, and all moneys now due the state of Oregon under the act of congress, approved March 2, 1891, repaying to the states the direct tax collected by act of congress, approved August 5, 1861, for the purpose of building and improving roads.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

Mr. Weatherford moved that the rules be suspended and that house bill No. 115 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Nays—Mr. McGinn—1.

Absent—Mr. Matlock—1.

So the rules were suspended and house bill No. 115 was read first time by title only.

Mr. Weatherford moved that the rules be further suspended and that house bill No. 115 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—Messrs. Huston, Maxwell, and McGinn—3.

So the rules were suspended and house bill No. 115 was read second time by title only.

Mr. Weatherford moved that the rules be further suspended and that house bill No. 115 be read third time and placed on final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch,

Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—26.

Nays—Messrs. Huston, Maxwell, and McGinn—3.

Absent—Mr. Veatch—1.

So the rules were suspended and house bill No. 115 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—Messrs. Maxwell and McGinn—2.

Absent—Messrs. Denny, Dodson, and Veatch—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 85,—a bill for an act to define the qualifications of supreme and circuit judges and district attorneys of the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 128,—a bill for an act entitled an act to amend section 1173 of the laws of Oregon, as compiled by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 62,—a bill for an act entitled “An act to provide for a rebate of road tax to persons using certain wagons.”

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 316,—a bill for an act entitled an act to incorporate the city of Newberg, in Yamhill county, state of Oregon, and to repeal an act entitled “An act to incorporate the town of Newberg, in Yamhill county, state of Oregon, and to grant, designate, and define the powers thereof,” filed in the office of the secretary of tary of state, February 21, 1889, and all acts or parts of acts in conflict herewith.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 27 and 45.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 72,—a bill for an act to amend section 1 of the act of February 29, 1891, entitled an act creating a lien for labor on logs.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 8.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 130,—a bill for an act entitled an act to amend section 16 of the session acts of 1891 relative to qualification of voters, as found on page 12 of said session acts.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house bill No. 120,—a bill for an act to encourage the propagation of edible fish in the mountain streams of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January —, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 99,—a bill for an act to govern the priority of right to waste, spring, and seepage waters, defining the rights of owners of springs and seepage waters, authorizing riparian owners to employ wheels, pumps, and other machinery for lifting water for irrigation, and declaring what uses of water shall have preference.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 126,—a bill for an act to protect common carriers.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate joint resolution No. 3.

And the same is herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 14.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has requested the return of house bill No. 82.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. Cogswell, the request was granted, and house bill No. 82 was returned to the house.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 7,—a bill for an act to amend section 14 of an act entitled an act fixing the time for holding elections; regulating the manner of conducting state, district, county, and precinct elections; prescribing the manner of making nominations of candidates; providing for printing and distributing ballots by public officers at public expense; to prevent frauds and punish crimes affecting the right of suffrage; to repeal all of an act entitled "An act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punish-



ment of frauds affecting the elective franchise, and repealing title I. of chapter XIV. of the miscellaneous laws of Oregon, approved February 24, 1885"; to repeal all of an act entitled "An act to amend sections 4, 10, 14, 15, and 24 of an act entitled 'An act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I. of chapter XIV. of the miscellaneous laws of Oregon, approved February 24, 1885,' approved November 25, 1885"; to repeal all of an act entitled "An act to amend section 49 of 'An act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I. of chapter XIV. of the miscellaneous laws of Oregon,'" approved February 24, 1885, approved November 25, 1885; to repeal all of an act entitled "An act relating to elections, approved October 19, 1872"; to repeal sections 26, 27, and 28 of an act entitled "An act relating to elections, and the mode in filling vacancies in office, approved October 29, 1870"; to repeal all of an act entitled "An act to amend section 2507 of Hill's annotated laws of Oregon, relating to elections and ballot paper, approved February 20, 1889"; the same being identical with titles I. and II. of chapter XIV., sections 2499 to 2537, both inclusive, of the miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill, and to repeal all acts and parts of acts in conflict with this act, approved February 13, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 86,—a bill for an act to amend section 4094 of Hill's annotated code of Oregon.

And the same is herewith transmitted for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 24,—a bill for an act giving herders a lien upon animals herded.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief Clerk.

The president announced that he was about to sign house bills Nos. 14, 27, and 45, and senate joint resolution No. 3, and soon thereafter announced that he had signed the same.

By unanimous consent, Mr. Weatherford presented petitions, which were referred to the committee on education, relative to the passing of a law favoring the holding of school nine months in the year in each school district in Oregon.

Senate bill No. 200. Mr. Willis. (By unanimous consent.) A bill for an act to amend sections six (6) and ten (10) of an act entitled "An act to provide a state board of equalization, to prescribe the manner of its creation, and its powers and duties," passed at the sixteenth session of the legislature of the state of Oregon.

Senate bill No. 200 was read first time and passed to second reading without question.

On motion of Mr. McGinn, the senate adjourned.

O. P. MILLER,  
 Chief clerk.

WEDNESDAY, FEBRUARY 1, 1893.

## MORNING SESSION.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 February 1, 1893. }

The senate was called to order at 10 o'clock A. M., by the president. The roll was called, and all senators were present except Mr. Hayes.

The senate was opened with prayer by Rev. Mr. Bowersox.

On motion of Mr. Willis, the reading of the journal was dispensed with.

By unanimous consent, Mr. McGinn, chairman of the committee on engrossed bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 169, 46, and 164, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Mr. Bancroft moved that the rules be suspended and that all standing, select, and special committees be allowed to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Absent—Mr. Hayes—1.

So the rules were suspended, and all standing, select, and special committees were granted leave to report at any time.

Mr. Vanderburg, chairman of the committee on agriculture, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1893. }

*Mr. President:*

Your committee on agriculture, to whom was referred senate bill No. 7, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

## AMENDMENT.

That all of sections 1, 4, and 5 be struck out.

## AMENDMENT.

That section 2 be changed to section 1, section 3 to section 2, section 6 to section 3, section 7 to section 4, section 8 to section 5, and section 9 to section 6.

## AMENDMENT.

That in section 1, line 1, after the word "person," insert "company or corporation."

## AMENDMENT.

That in section 1, line 2, after the word "slaughter," strike out "or any slaughtered bovine animal without having exhibited to him the hide of such animal and" and insert "without."

## AMENDMENT.

That in section 1, line 4, after the word "such," strike out "hide" and insert "animal."

## AMENDMENT.

That in section 2, line 2, after the word "shop," strike out "or," and in the same section and line after the word "market" insert "or slaughter house."

## AMENDMENT.

That in section 2, line 7, after the word "imprisonment," insert "*provided*, that this section shall apply only to that portion of Oregon lying east of the Cascade mountains."

## AMENDMENT.

That in section 6, line 2, after the figure "2," strike out the figures "3" and "4," and after the figure "5" strike out "and 8," and after the figure "2" insert "and."

W. S. VANDERBURG,  
Chairman.

On motion of Mr. Vanderburg, the report was adopted.

Mr. Cogswell moved to refer the bill to the committee on judiciary.

Lost.

On motion of Mr. Steiwer, senate bill No. 7 was ordered engrossed and to third reading tomorrow.

Mr. Vanderburg, chairman of the committee on agriculture, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1893. }

*Mr. President:*

Your committee on agriculture, to whom was referred senate bill No. 43, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. S. VANDERBURG,  
Chairman.

On motion of Mr. McAlister, senate bill No. 43 was ordered engrossed and to third reading tomorrow.

Mr. Denny, chairman of the committee on judiciary, submitted the following reports:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 82, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Dodson, senate bill No. 82 was ordered engrossed and to third reading tomorrow.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 78, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Veatch, senate bill No. 78 was ordered engrossed and to third reading tomorrow.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 76, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Dodson, senate bill No. 76 was ordered engrossed and to third reading tomorrow.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 48, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

## AMENDMENT.

Section 1, line 14 of printed bill, after the words "like manner," strike out the words "separately from" and insert in lieu thereof the words "as the"; also in section 1, line 14, printed bill, after the word "admitted," strike out the word "to" and insert in lieu thereof the words "but the same shall"; also in section 1, line 15, printed bill, after the words "evidence offered," strike out the word "and"; also in section 1, line 15, after the word "excluded," strike out the words "by the court, which shall also be filed with the clerk," and insert in lieu thereof the words "and excepted to. The party offering said testimony shall be required to pay for taking such testimony so excluded, unless the court, on appeal, may hold the same was competent"; also in section 1, line 24 of printed bill, after the words "to such findings," strike out all the remainder of section 1.

## AMENDMENT.

Section 2, line 5, printed bill, after the words and figures "section 397," strike out the word "either"; also in section 2, strike out all

that part after the words "to the court" in line 6 of printed bill to the words "within such time" in line 21 of printed bill; also in section 2, strike out that part after the words "to the court" in line 26 to the words "when in equity" in line 29 of printed bill; also in section 2, line 34 of printed bill, after the words "reduced to writing," strike out the words "and subscribed by the witness," and insert in lieu thereof the words "*provided, that if the evidence is taken by a stenographer, he shall extend the same and certify to its being a true and correct transcript thereof*"; also in section 2, strike out all the remainder of the section after the words "is taken," in line 38, and insert in lieu thereof the following words: "party offering such testimony shall be required to pay for taking such testimony so excluded unless the court may hold the same was competent.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Denny, senate bill No. 48 was ordered engrossed and to third reading tomorrow.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house joint resolution No. 3, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do concur in said resolution upon being amended to read as follows:—

#### AMENDMENT.

##### HOUSE JOINT RESOLUTION NO. 3.

Proposing an amendment to the constitution of the state of Oregon.

*Resolved by the House, the Senate concurring,* That the following amendment to the constitution of the state of Oregon be and is hereby proposed: That section 2 of article II. be amended to read as follows:—

Section 2. In all elections not otherwise provided for by this constitution, every male citizen of the United States, of the age of twenty-one years and upwards, who can write his name and who can read the constitution of the United States in the English lan-

guage, shall be entitled to vote at all elections authorized by law; but registration laws may be authorized by the legislative assembly; *provided, however*, that persons who shall be entitled to vote in this state at the time of the adoption of this amendment, shall not be prevented from voting by reason of their inability to read and write.

O. N. DENNY,  
Chairman.

Mr. Denny moved the adoption of the report.

Mr. Cogswell moved to amend by laying the report and resolution on the table, with instructions that the clerk have the same printed.

The motion to amend prevailed, and the resolution went to the table.

Mr. Dodson, chairman of the committee on counties, submitted the following reports:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1893. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 119, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

#### AMENDMENT.

Strike out all words after “beginning at the” in line 3, section 1, and before the word “thence” in line 5, section 1, and insert in lieu thereof the following: “northwest corner of Siletz Indian reservation; thence east to the Polk county line; thence south to the Benton county line; thence east six miles to the west boundary of range 7 west of Willamette meridian; thence south on said range line to the Lane county line.

#### AMENDMENT.

Insert after the words “said county,” at end of line 8 of section 3, printed bill, the following: “The county court of Bay county shall not expend a larger sum than five hundred dollars of the funds of said county for the erection of county buildings until the county seat is permanently located.



## AMENDMENT.

In section 9 of printed bill strike out all after the word "county" in line 3.

O. M. DODSON,  
Chairman.

On motion of Mr. Dodson, the report was adopted.

On motion of Mr. Dodson, senate bill No. 119 was ordered engrossed and to third reading tomorrow.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1893. }

*Mr. President:*

Your committee on counties, to whom was referred house bill No. 56, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

Strike out all after the enacting clause and insert in lieu thereof the following:—

Section 1. That section 2370 of chapter XI., title II., of Hill's annotated laws of Oregon, be and the same is hereby repealed.

O. M. DODSON,  
Chairman.

On motion of Mr. Dodson, the report was adopted.

On motion of Mr. Dodson, house bill No. 56 was ordered to third reading tomorrow.

Mr. Woodard, chairman of the committee on elections, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on elections, to whom was referred senate bill No. 21, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the information that same has been printed.

C. H. WOODARD,  
Chairman.

On motion of Mr. Woodard, the report and amendments to senate bill No. 21 were adopted.

On motion of Mr. Woodard, senate bill No. 21 was ordered engrossed and to third reading tomorrow.

On motion of Mr. Hirsch, the courtesies of the senate were extended to Hon. S. B. Eakin, and he was invited to a seat within the bar of the senate.

Mr. Cogswell, chairman of the committee on federal relations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1893. }

*Mr. President:*

Your committee on federal relations, to whom was referred house bill No. 41, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. A. COGSWELL,  
Chairman.

On motion of Mr. Cogswell, house bill No. 41 was ordered to third reading tomorrow.

Mr. Willis, chairman of the committee on assessments, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on assessments, to whom was referred senate bill No. 113, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

P. L. WILLIS,  
Chairman.

On motion of Mr. Weatherford, senate bill No. 113 was ordered engrossed and to third reading tomorrow.

Mr. Alley, chairman of the committee on fisheries, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on fisheries, to whom was referred senate bill No. 86, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

## AMENDMENT.

In section 5, line 3, after the word "from," strike out "the" and insert "his own."

## AMENDMENT.

In section 8, line 3, after the word "for," insert "the purpose of."

## AMENDMENT.

In the same section, line 6, after the word "provided," insert "this section shall not apply to any person or the servants, agents, employés, or operators, railroad, steamboat, express, or other company, or corporation who shall transport any kinds of wild ducks, geese, or swan for the purposes of propagation or exhibition in other states."

## AMENDMENT.

In section 1932, line 15, to the word "animal" add "s."

B. F. ALLEY,  
Chairman.

On motion of Mr. Alley, the report was adopted.

On motion of Mr. Alley, senate bill No. 86 was ordered engrossed and to third reading tomorrow.

Mr. Alley, chairman of the committee on fisheries, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on fisheries, to whom was referred senate bill No. 108, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

AMENDMENT.

That section 1 be amended so as to read as follows:

Section 1. There shall be chosen biennially by the legislative assembly of Oregon a competent person who shall be denominated "game and fish protector," whose term of office shall continue two years and until his successor is chosen and qualified.

AMENDMENT.

Section 3, line 5, in printed bill, after the word "exceeding," strike out "seven hundred and fifty" and insert "five hundred."

AMENDMENT.

Section 4, line 3, after "county," strike out "board of commissioners" and insert the word "court."

AMENDMENT.

Section 4, line 13, printed bill, after the words "management of," strike out "the Clackamas fish hatchery and such other."

AMENDMENT.

Section 7, line 11, after the words "said informer be the," strike out "game and fish protector."

B. F. ALLEY,  
Chairman.

On motion of Mr. Alley, the report was adopted.

On motion of Mr. Alley, senate bill No. 108 was ordered engrossed and to third reading tomorrow.

Mr. Cameron, chairman of the committee on railroads, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1893. }

*Mr. President:*

Your committee on railroads, to whom was referred senate bill No. 106, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate with the recommendation that it do not pass.

T. CAMERON,  
Chairman.

On motion of Mr. Raley, further consideration of senate bill No. 106 was indefinitely postponed.

Mr. Cameron, chairman of the committee on corporations, submitted the following reports:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 64, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

#### AMENDMENT.

Sections 2 and 3 of article II., providing for two wards, shall be stricken out and amended as follows: "The council may divide the city into two or more wards at such time as it sees fit, and provide for the election of councilmen from each ward."

#### AMENDMENT.

Section 7, article II., should be amended to read as follows: "To be a qualified elector a person must have the qualifications of an elector under the laws of the state, and to have resided in the city thirty days next preceding the election at which he offers to vote."

#### AMENDMENT.

Section 6, article II., should be amended by adding at the end of the fifth line the words: "City attorney, street superintendent, and city surveyor must be residents of this city and qualified electors."

#### AMENDMENT.

Section 1 of chapter VI., line 6, shall be amended by striking out the words "and shall draft and draw all ordinances."

**AMENDMENT.**

Section 1, article IV., by inserting after the word "or" in the fourth line the words "in case of."

**AMENDMENT.**

Section 2, article IV.; strike out the word "five" in the fourth line and insert the word "two."

**AMENDMENT.**

Article IV., section 2, page 8, insert in line 7, after the word "purpose," "except such indebtedness is owing to persons or parties residing in the city."

**AMENDMENT.**

Section 2, article IV., at the end of the fifty-eighth line add the words: "Unless the excess be submitted to the electors at a regular election and be approved by a two thirds vote of the electors voting."

**AMENDMENT.**

Section 1, article VII., beginning in the ninth line, strike out the words "except the bridge across Hoquarton slough at Second avenue, east in said Tillamook City; said bridge to be the property of the county of Tillamook, state of Oregon."

**AMENDMENT.**

Strike out sections 3 and 4, article X., and substitute: "The two additional councilmen and mayor provided for by this charter shall be elected at the next regular election."

**AMENDMENT.**

Section 17, article X., in the first line change the word "no" to "any."

**AMENDMENT.**

Section 18, article X., in second line, strike out the word "day" and insert the word "Monday."

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, the report was adopted.

On motion of Mr. Maxwell, senate bill No. 64 was ordered engrossed and to third reading tomorrow.

### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 135, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, senate bill No. 135 was ordered engrossed and to third reading tomorrow.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 102, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

### AMENDMENT.

Strike out all of said bill after the enacting clause and insert in lieu thereof the following:—

Section 1. That section 2304 of chapter VIII., of Hill's annotated laws of Oregon, be and is hereby amended so as to read as follows:

Sec. 2304. A district attorney, during his continuance in office, shall be entitled to appoint a suitable number of deputies in each county, and may, by a written appointment, filed with the clerk of the county, authorize such deputy to attend upon the sittings of the grand jury, and may revoke such appointment at his pleasure. The district attorney, for each day's attendance of himself or deputy in the circuit court or grand jury, in any county of his district,

shall receive five dollars, to be paid by the county in which such service is rendered.

O. N. DENNY,  
Chairman.

On motion of Mr. Bancroft, the report was adopted.

On motion of Mr. Butler, senate bill No. 102 was ordered engrossed and to third reading tomorrow.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate joint resolution No. 8, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

Mr. Crosno, chairman of the committee on education, submitted the following reports:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1893. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 142, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. B. CROSNO,  
Chairman.

On motion of Mr. Crosno, senate bill No. 142 was ordered engrossed and to third reading tomorrow.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1893. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 125, beg leave to report that we have had the same under con-



sideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. B. CROSNO,  
Chairman.

On motion of Mr. Crosno, senate bill No. 125 was ordered engrossed and to third reading tomorrow.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1893. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 96, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

#### AMENDMENT.

Amend section 13, line 98, printed bill, after the words "seen of," strike out the word "twelve" and insert the words "twenty-four."

#### AMENDMENT.

In line 100, after the words "warrant for one," erase word "fourth" and insert the word "eight."

C. B. CROSNO,  
Chairman.

On motion of Mr. Crosno, the report was adopted.

On motion of Mr. Crosno, senate bill No. 96 was ordered engrossed and to third reading tomorrow.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1893. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 33, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

## AMENDMENT.

In line 1, section 2, strike out the figures "\$50,000" and insert in lieu thereof the figures "\$26,100."

## AMENDMENT.

In line 21 of section 2, strike out the figures "\$30,000" and insert in lieu thereof the figures "\$26,100."

## AMENDMENT.

Strike out lines 22, 23, 24, and 25 of section 2 all in printed bill.

C. B. CROSNO,  
Chairman.

On motion of Mr. Crosno, the report was adopted.

On motion of Mr. Crosno, senate bill No. 33 was ordered engrossed and to third reading tomorrow.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1893. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 55, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

Insert after the title of the bill the following: "Be it enacted by the legislative assembly of the state of Oregon."

C. B. CROSNO,  
Chairman.

On motion of Mr. Crosno, the report was adopted.

On motion of Mr. Crosno, senate bill No. 55 was ordered engrossed and to third reading tomorrow.

The following communication from the secretary of state was read:—

## COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE, }  
 SALEM, Oregon, }  
 February 1, 1893. }

*To the Honorable the Senate of the Legislative Assembly of the State of Oregon:* I have the honor herewith to return to the senate, senate bill No. 219 of the sixteenth biennial session of the legislative assembly, which was filed in this office, February 21, 1891, together with the objections of the governor thereto.

I have the honor to be, very respectfully,

Your obedient servant,

GEO. W. McBRIDE,  
 Secretary of State.

## MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE OFFICE, }  
 SALEM, Oregon, }  
 February 21, 1891. }

*To the Honorable the Senate of the State of Oregon:* I herewith return senate bill No. 219 with my dissent. This is a bill granting to the Riddle Improvement Company a right of way and to authorize the construction and maintenance of a canal for irrigating, manufacturing, mining, and other purposes in Douglas county, Oregon. This bill confers upon a private corporation the right to divert water for private purposes without imposing upon it the restrictions necessary to protect the right of others. Inasmuch as this legislature has passed a general law (senate bill No. 4), giving to private corporations the right to divert water for irrigating purposes, while at the same time it places upon them wholesome restrictions in regard to the rights of others, this company can avail itself of its provisions and prosecute its work under a general instead of a special law.

SYLVESTER PENNOYER,  
 Governor.

The question being, "Shall the bill pass?" notwithstanding the objections and veto of the governor, the roll was called and the vote was:

Those voting aye were—None.

Nays—Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Not voting—Mr. Alley—1.

So the bill failed to pass.

Senate bill No. 117 coming on for third reading, was read third time.

By unanimous consent, Mr. Cogswell submitted the following amendment:—

#### AMENDMENT.

Strike out section 21.

There being no objection, the chief clerk was instructed to so amend the bill.

Pending the vote on senate bill No. 117, the following messages from the house were read:—

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 115.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bill No. 115, and soon thereafter announced that he had signed the same.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 93,—a bill for an act to define and punish obstruction to railroads, railroad trains, railroad tracks, street cars, and street-car tracks in the state of Oregon, and to protect the passengers and employes riding upon any train or car in said state.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 8,—a bill for an act to amend section 4229 of the laws of Oregon, as compiled and annotated by Wm. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 44,—a bill for an act to amend an act entitled "An act to provide for the relief of indigent Union and Mexican war soldiers, sailors, marines, and Indian war volunteers, and for the relief of their indigent widows and minor children, and to defray the funeral expenses of such indigent soldiers, sailors, marines, and volunteers," approved February 25, 1889.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 187,—a bill for an act to amend "An act entitled an act to incorporate the city of St. Helens in Columbia county and state of Oregon," filed in the office of the secretary of state, February 25, 1889.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 206,—a bill for an act entitled an act to provide for the sinking of artesian wells in the several counties of the state of Oregon containing arid lands.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 133,—a bill for an act to prohibit the sale of tobacco, cigars, or cigarettes to minors under the age of eighteen years, and the use of tobacco, cigars, and cigarettes by such minors in any public place, and to repeal the act entitled an act to prohibit the sale of tobacco, cigars, or cigarettes to minors under the age of eighteen years, approved February 18, 1889.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 31, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate's amendments to house concurrent resolution No. 15, relative to improvements of acoustics of legislative hall.

D. C. SHERMAN,  
 Chief clerk.

On motion of Mr. Alley, the senate adjourned:

O. P. MILLER,  
 Chief clerk.

## AFTERNOON SESSION.

SENATE CHAMBER,

SALEM, Oregon,

February 1, 1893. }

The senate was called to order at 2 o'clock P. M. by the president. The roll was called, and Senators Hayes, Huston, Matlock, and Myers were noted as being absent.

On motion of Mr. McGinn, the courtesies of the senate were extended to Hon. Thomas F. Osburn, and he was invited to a seat within the bar of the senate.

On adjournment the senate had under consideration senate bill No. 117.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Looney, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President — 24.

Nays — Mr. Weatherford — 1.

Absent — Messrs. Cameron, Hayes, Huston, Matlock, and Myers — 5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 201. Mr. Hirsch, by request. (By unanimous consent.) An act to establish a uniform standard of weights and measures in this state, and to provide for a state sealer and inspector of the same.

Mr. Hirsch moved that the rules be suspended and that senate bill No. 201 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President — 25.

Absent — Messrs. Cogswell, Huston, Matlock, McGinn, and Weatherford — 5.

So the rules were suspended and senate bill No. 201 was read first time by title only.

Mr. Hirsch moved that the rules be further suspended and that senate bill No. 201 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Willis, Woodard, and Mr. President — 21.

Nays—Messrs. Bancroft, Denny, Vanderburg, and Veatch — 4.

Absent—Messrs. Cogswell, Huston, Matlock, Steiwer, and Weatherford — 5.

So the rules were suspended and senate bill No. 201 was read second time by title only.

On motion of Mr. Hirsch, the bill was referred to the committee on commerce.

Mr. Crosno, chairman of the committee on education, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 52, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

C. B. CROSNO,  
Chairman.

Mr. Butler moved that the rules be suspended and that the engrossing committee be instructed to engross senate bill No. 52 in the order of its number.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, and Woodard — 22.

Nays—Messrs. Denny, Weatherford, Willis, and Mr. President — 4.

Absent—Messrs. Alley, Huston, Matlock, and Veatch — 4.

So the rules were suspended and senate bill No. 52 was ordered engrossed as to its number.

Mr. Raley, chairman of the special committee to whom was referred house bill No. 38, submitted the following report:—



## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1893. }

*Mr. President:*

Your special committee to whom was referred house bill No. 38, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. H. RALEY,  
Chairman.

On motion of Mr. Raley, house bill No. 38 was ordered to third reading tomorrow.

Mr. Steiwer, chairman of the committee on internal improvements, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on internal improvements, to whom was referred senate bill No. 35, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

## AMENDMENT.

Amend the title by striking out the words "or canals and locks."

## AMENDMENT.

Amend section 2 so as to read as follows:—

Section 2. The object or purpose of said corporation shall be to build, construct, equip, operate, and maintain a portage railway between the navigable waters of the Columbia river, below the rapids near Dalles City and above Tumwater or Celilo, in Wasco county, Oregon, such as it shall deem sufficient to meet the demands of transportation there for freight and passengers; to build and construct all necessary warehouses, wharves, switches, and approaches to said railway; to purchase and provide said railway with all necessary engines and rolling stock, and to purchase

all needful, convenient, and necessary supplies for the successful construction, operation, and maintenance of the same; to do and perform all other acts necessary or expedient for the successful construction, operation, and maintenance of said railway, until otherwise enacted by the legislative assembly of the state of Oregon. Said corporation may collect and receive tolls for freight and passengers going over any railway by it constructed at a rate not greater than forty cents per ton for freight and ten cents per passenger.

AMENDMENT.

Amend section 3 so as to read as follows:—

Section 3. The power and authority given to the corporation, the port of Columbia, by this act is hereby vested in and shall be exercised by a board of fifteen commissioners, or by a majority of them, all of whom shall be taxpayers in said corporation; which commissioners shall be selected from the counties named in section 1 of this act, the number to be selected from each of such counties to be such part of the whole number as such county shall contain of the taxable property within the limits of said corporation, as such property was equalized by the state board of equalization as assessed in 1892; *provided*, that at least one of such commissioners shall reside within the present territorial limits of each of the counties named in section 1 of this act. Each of said commissioners shall be appointed by the judge or judges of the circuit court of the judicial district which shall include the county in which such commissioner shall reside, and shall hold his office during the pleasure of the judge or judges of the judicial district from which he was appointed.

AMENDMENT.

Amend section 4 by striking out the word "Multnomah" in line 4 of the printed bill and inserting the word "Umatilla."

AMENDMENT.

Amend section 6 by placing the words "which said judge or judges is and are hereby authorized to do" in parenthesis in line 7 of the printed bill.

AMENDMENT.

Amend section 9 by striking out the figures "\$3,000,000" in line 5 of the printed bill and inserting the figures "\$500,000," and inserting in parenthesis between the words "limited" and "the" in line

10 of the printed bill the words "which time shall not be longer than forty years."

#### AMENDMENT.

Amend section 10 by striking out the compound word "one-fifth" in line 4 of the printed bill and inserting in place thereof the compound word "one-twentieth."

W. W. STEIWER,  
Chairman.

On motion of Mr. Willis, the chief clerk was instructed to have the bill printed as amended.

Mr. Willis moved that senate bill No. 35 be referred to a special committee consisting of the senators named in section 1 of the bill.

The motion prevailed, and the bill was so referred.

Senate bill No. 202. Mr. McGinn. (By unanimous consent.) An act regulating the rates to be charged for the use of telephones in this state and providing punishment for its violation.

Senate bill No. 202 was read first time.

Mr. McGinn moved that the rules be suspended and that senate bill No. 202 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Hirsch, Looney, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Willis, Woodard, and Mr. President—23.

Nays—Messrs. Vanderburg and Veatch—2.

Absent—Messrs. Gates, Huston, Matlock, Myers, and Weatherford—5.

So the rules were suspended and senate bill No. 202 was read second time by title only.

On motion of Mr. McGinn, the bill was referred to the committee on commerce.

Mr. Hayes, chairman of the committee on railways and transportation, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on railways and transportation, to whom was referred senate bill No. 40, beg leave to report that we have had the

same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

G. E. HAYES,  
Chairman.

On motion of Mr. Hayes, senate bill No. 40 was ordered engrossed and to third reading tomorrow.

Mr. Bancroft, chairman of the joint committee appointed under senate concurrent resolution No. 10, to investigate and report on the jute plant in use in the Walla Walla penitentiary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

We, your joint committee appointed to visit the penitentiary at Walla Walla, Washington, and investigate the workings of the jute mill connected with the said penitentiary, and to report upon the advisability of establishing such a mill in this state, would most respectfully report as follows:—

That we have visited said penitentiary at Walla Walla, and have investigated the workings of the jute mill connected therewith, and by the courtesy of the board of directors of said institution and officers employed therein, and especially through the kindness of F. W. Paine, president of said board of directors, and James Brown, superintendent of said jute mill, we have obtained the following information:

#### BUILDINGS.

The buildings used in connection with the jute mill at Walla Walla are: One warehouse, 40 feet by 80 feet, and one main building, 96 feet by 204 feet, which main building contains the plant, and has a fire wall 22 feet high.

#### MACHINERY.

The machinery contained in said jute mill consists of a 50-loom plant, with one 250-horse-power Wheelock engine, with one Firmus rope power transmission, together with two overseaming machines, four sewing machines, one cutting machine, and one baler.

#### MEN EMPLOYED.

This jute mill employs about 215 convicts, with one superintendent of the jute mill, one superintendent of the weaving depart-

ment, and two engineers. The character of the work in said mill is such that many convicts who are unable to do hard work may be employed therein with satisfaction to the state and to themselves. The work is clean, agreeable, and healthy.

#### ANNUAL OUTPUT.

The annual output of this jute mill is about 1,250,000 bags. The bags manufactured by this mill are superior to those manufactured at Calcutta, their quality being such that farmers in that vicinity haul grain in them to market, empty them, and use them several times.

#### COST OF BAG.

The cost of the manufactured bag at the Walla Walla mill, not counting the cost of convict labor, is about 4.51 cents. This is greater on account of high freight, and on account of the material having been purchased late in the season at nearly the highest market price, than the estimated cost of a bag at Salem.

#### EFFECT ON THE MARKET.

Concerning the effect on the market in the vicinity of Walla Walla of the establishment of the jute mill at that place, we quote from the report of the directors of said penitentiary: "When we placed the grain bags on the market, in July, 1892, the selling price in Walla Walla was 8½ cents per bag. We offered bags of a better quality than the best Calcutta at 7¼ cents each. The dealers dropped to 7 cents and gave purchasers credit. In order to make sales for cash, as required by law, we were compelled to drop to 6¼ cents, at which price the market remained firm until the close of the season." This indicates a reduction in price to the consumer of 2 cents on each bag.

#### REVOLVING FUND.

The Washington legislature made an appropriation of \$30,000, to constitute a revolving fund, which is used only for the purchase of material for the manufacture of jute fabrics and brick. This fund is insufficient, and its insufficiency materially handicaps the management in their operation of said mill.

#### MANUFACTURERS OF MACHINERY.

The machinery in the Walla Walla jute mill was manufactured by the following firms: One improved Wheelock engine, by Hoadley Brothers, engineers, San Francisco, Chicago, and Portland; the boilers and furnaces, by the Hazleton Tripod Boiler Company, Chi-

cago; the Firmus rope transmission, by the Dodge Manufacturing Company, of Mishawaka, Indiana; the looms, overseaming, cutting, and dampening machines, by Urquhart-Lindsay Company (Limited), of Dundee; the spinners, by Fairbairn, Naylor, McPherson & Company, of Leeds, England; and the hemmers, by John H. Mooney, of Oakland, California.

In relation to the class of machinery used in Walla Walla as compared with the machinery used in San Quentin, California, we quote an extract from a letter written by James Faulkner, superintendent of the jute department of the San Quentin penitentiary: "The new machinery is superior to the old in many respects. The improvements over the old are for the better."

#### CONDITION AT SALEM.

We have in the Oregon penitentiary at present about 380 convicts, of which a large number have been idle during the past year. The contract for the manufacture of stoves having expired, almost the entire prison population are now without employment. This is a dangerous condition for prisoners to be in, and should be remedied.

In order to employ the number of convicts in the Oregon penitentiary in the manufacture of jute it will be necessary to establish a 100-loom plant in this state. This, it is estimated by one who has had a lifetime of experience in such industry, would give employment to about 325 men, leaving only a sufficient number to do the other work about the prison.

#### BUILDINGS.

The building now used as a stove warehouse, measuring 218 feet by 106 feet, is sufficiently large to be used as a warehouse for a 100-loom mill. The room heretofore used as a moulding room, 244 feet 9 inches by 108 feet 10 inches, 15 feet 6 inches high, and the room adjoining, heretofore used as a fitting-room, could be used, after the walls had been properly strengthened, for the main building of a 100-loom plant, with but comparatively small outlay to the state. It has been estimated by a competent millwright that the expense of strengthening the walls sufficiently to support the machinery of a 100-loom plant would be nominal.

#### WATER POWER.

The water power at the Oregon penitentiary is about 60 or 70 horse-power, and by improving the ditches and enlarging their banks doubtless 125 horse-power could be had. If this is sufficient to operate the mill, it will furnish power for the same without the large expense for coal necessarily incurred at San Quentin and

Walla Walla, and will thereby enable the state to manufacture jute bags cheaper than can be done at either of the places above mentioned; however, this committee would recommend the purchase of a 250-horse power engine for the purpose of furnishing power to operate said mill, as this committee is informed that said water power is insufficient.

#### EFFECT ON FREE LABOR.

The manufacture of jute fabrics is an industry not engaged in by free American labor, and therefore the establishment of a jute mill in the penitentiary will not affect free labor in any way. It has been estimated that the manufacture by convicts of stoves in this state has had the effect to prevent at least 200 men from engaging in that industry, thus depriving at least 1,000 persons from support in that way.

#### MACHINERY REQUIRED FOR 100-LOOM PLANT.

For a plant of a 100-loom capacity, machinery will be required as follows:—

One jute softner and batching attachment.  
 Two spiral shell breaker cards.  
 Two balling machines.  
 Four circular finisher cards.  
 Four patent slide first drawing frames.  
 Four spiral second drawing frames.  
 Four spiral roving frames, 64 spindles each.  
 Twelve double dry spinning frames, 132 spindles each.  
 One twisting frame.  
 Two double cop-winding machines, 104 spindles each.  
 Two double two-tiered warping machines, 80 spindles each.  
 Two patent yarn dressing machines, 4 steel cylinders each.  
 Four sets iron work and buttons for dressing machine banks.  
 One hundred plain motion Hessian looms, 52 inches reed space.  
 One cloth dampening machine.  
 One heavy 5-bowled chesting calender, 92 inches wide.  
 One Blythe's patent sack-cutting machine.  
 One hydraulic baling press, with pumps.  
 Twelve overseam machines.  
 Two hemmers.

#### COST OF MACHINERY.

The cost of machinery necessary to establish a 100-loom plant at Salem will be as follows:—

Machinery as above .....	\$ 109,000 00
Engine and boilers .....	18,000 00



Power transmission, etc.-----	\$ 10,000 00
Repairs necessary on buildings-----	33,000 00
Total-----	\$ 150,000 00

## PROBABLE COST OF BAG AT SALEM.

It is estimated that the plant at Salem should be made to manufacture bags for the following:—

Monthly output in round numbers, grain bags-----	200,000
Two hundred thousands bags at 13 ounces, pounds---	162,500
Add 5 per cent for loss in manufacturing, pounds----	8,552

Total amount of jute consumed, pounds-----	171,052
One hundred and seventy-one thousand and fifty-two pounds raw jute at 3 cents per pound-----	\$ 5,131 58
Actual operating expenses per month-----	1,975 14

Total cost of 200,000 grain bags-----	\$ 7,106 72
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This makes the cost of one grain bag equal \$.0355336, which being sold for \$.065 leaves a profit of nearly \$.03, which being computed on a basis of an annual output of 2,500,000 bags, gives a profit of about \$75,000 each year, or for 325 convicts an average daily earning of nearly 73 cents per man.

## LENGTH OF TIME REQUIRED.

In order to get a 100-plant jute mill in good running order it will require about one year from the time the plant is ordered, as after the time has elapsed in which the machinery is on its way from the manufacturers until it is placed in operation at Salem, which will be a period of about nine months, it will require about three months to teach the convicts how to successfully operate the same. During this time, however, this committee is assured that a contract will be accepted by parties engaged in the manufacture of stoves on the same terms as has heretofore been in existence.

## CONCLUSION.

In view of the foregoing estimates, which are conservative, and of the facts above stated, which have been derived from authoritative sources, this committee would respectfully recommend that an appropriation be made of \$160,000 for the establishment of a mill for the manufacture of jute bags and bagging; and that a further appropriation of \$80,000 be made to constitute a revolving fund,



to be used for the purchase of material for manufacturing jute bags and bagging.

All of which is very respectfully submitted.

F. A. BANCROFT,  
J. K. WEATHERFORD,  
J. W. HOBBS,  
B. DALY,  
H. F. GULLIXSON,

Committee.

On motion of Mr. Willis, 300 copies of the report were ordered printed.

On motion of Mr. Weatherford, the vote by which 300 copies of the report were ordered printed was reconsidered.

Mr. Weatherford moved that 1,000 copies of the report be printed.

The motion prevailed, and it was so ordered.

Senate bill No. 203. Mr. Myers. (By unanimous consent.) A bill for an act to authorize the school directors of school district number (95) ninety-five in Linn county, Oregon, to bond the said district to incur an indebtedness of twelve thousand dollars for the purpose of erecting a suitable school building in said district and to purchase grounds therefor.

Senate bill No. 203 was read first time.

Mr. Myers moved that the rules be suspended and that senate bill No. 203 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Dodson, Gates, Hirsch, Looney, Maxwell, McGinn, Myers, Raley, Steiwer, Veatch, Willis, and Mr. President—20.

Nays—Messrs. Denny, Hayes, Vanderburg, and Woodard—4.

Absent—Messrs. Crosno, Huston, Matlock, McAlister, and Smith—5.

Not voting—Mr. Weatherford—1.

So the rules were suspended and senate bill No. 203 was read second time by title only.

On motion of Mr. Myers, the bill was referred to the committee on education.

Senate bill No. 153 coming on for third reading, Mr. Beckley, by unanimous consent, asked that the chief clerk be instructed to insert in line 15 of printed bill, section 7, after the word "exceed" insert the word "ten."

There being no objection, the chief clerk inserted the amendment.

Senate bill No. 153 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—None.

Absent—Messrs. Crosno, Huston, and Veatch—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 105 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Smith, Steiwer, Willis, Woodard, and Mr. President—24.

Nays—Messrs. Raley and Weatherford—2.

Absent—Messrs. Crosno, Huston, Vanderburg, and Veatch—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Denny, the courtesies of the senate were extended to Judge Riddle, and he was invited to a seat within the bar of the senate.

Senate bill No. 74 coming on for third reading, was read third time.

The question being, "Shall the bill pass?"

At this time Mr. Dodson sent the following communication to the desk, which was read:—

#### COMMUNICATION.

*To the Senator and Representative for Baker County in the Legislative Assembly:*

We, the county court of said county, hereby respectfully request that you and each of you use all honorable means to secure the enactment of a bill for the relief of Baker county; and with that end in view herewith enclose a bill for that purpose, which we think fully states the facts as they are as well as the purpose and need of the relief required.

We have won the action at law in the circuit court for the collection of these taxes, but an appeal is to be taken by the state; and if we can secure relief, by bill, it will save us an expensive litigation.

Yours respectfully,

P. CAMPBELL, county judge.

I. M. DUFFY, county commissioner.

F. H. HUTCHINSON, county commissioner.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Blackman, Cogswell, Crosno, Dodson, Hirsch, Maxwell, McAlister, Willis, Woodard, and Mr. President—11.

Nays—Messrs. Alley, Beckley, Butler, Cameron, Cross, Denny, Gates, Hayes, Looney, Matlock, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, and Weatherford—18.

Absent—Mr. Huston—1.

So the bill failed to pass.

Senate bill No. 144 coming on for third reading, was read third time.

On motion of Mr. Cogswell, senate bill No. 144 was laid on the table.

Senate bill No. 136 coming on for third reading, was read third time.

By unanimous consent, senate bill No. 136 was considered as on second reading for amendment.

Mr. Veatch moved to amend by inserting in line 1 of printed bill, after the word "state," "and the clerk of every school district"; and in line 2 after the word "county" and before the word "the," the words "or school district"; and in line 5, after the word "county," insert the words "or school district."

The motion prevailed, and the chief clerk was instructed to insert the amendments above, which was done.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—25.

Nays—Mr. Weatherford—1.

Absent—Messrs. Crosno, Hirsch, Huston, and McGinn—4.

So the bill passed.

Mr. Weatherford moved to amend the title of the bill by insert-

ing after the word "judges" the words "and clerks of school districts."

There being no objection, the clerk amended the title of the bill as directed.

There being no objection, the title of the bill as amended stood as the title of the act.

Senate bill No. 143 coming on for third reading, was read third time.

On motion of Mr. Dodson, senate bill No. 143 was re-referred to the committee on counties, with leave to report at any time.

Senate bill No. 23 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—28.

Nays—None.

Absent—Messrs. Huston and Veatch—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 63 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Denny, Gates, Looney, Maxwell, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Nays—Messrs. Butler, Dodson, Hayes, Hirsch, Matlock, McAlister, and Veatch—7.

Absent—Mr. Huston—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Blackman, the courtesies of the senate were extended to Hon. T. J. Matlock, and he was provided with a seat within the bar of the senate.

Senate bill No. 157 coming on for third reading, was read third time.

The question being, "Shall the bill pass?"

After a spirited discussion of some length, Mr. Myers moved the previous question.

The president announced, "Shall the main question be now put?"

The motion was lost.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Crosno, Denny, Gates, Maxwell, McGinn, Willis, Woodard, and Mr. President—9.

Nays—Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Cross, Dodson, Hayes, Hirsch, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, and Weatherford—20.

Absent—Mr. Huston—1.

So the bill failed to pass.

On motion of Mr. Raley, the senate adjourned.

O. P. MILLER,  
Chief clerk.

## THURSDAY, FEBRUARY 2, 1893.

### MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1893. }

The senate was called to order at 10 o'clock A. M. by the president.

The roll was called, and all the senators were present except Mr. Huston.

The senate was opened with prayer by Rev. Wm. Lund, of the Episcopal Church.

On motion of Mr. Matlock, the courtesies of the senate were extended to Hon. C. H. Carter, and he was invited to a seat within the bar of the senate.

On motion of Mr. Raley, the reading of the journal was dispensed with.

On motion of Mr. Denny, the engrossing committee was instructed to return senate bill No. 70 to the senate.

On motion of Mr. Denny, the senate instructed the chief clerk to ask the house to return senate bill No. 63 for the purpose of amendment.

Mr. McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
————— 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 43, 7, 102, 52, 82, 76, 78, 48, 135, 40, 142, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senate bill No. 204. Mr. Hayes, by request. (By unanimous consent.) A bill for an act to incorporate the town of Clackamas, Clackamas county, Oregon, limiting its powers and defining the duty of its officers.

Mr. Hayes moved that the rules be suspended and that senate bill No. 204 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Denny, Huston, and Myers—3.

So the rules were suspended and senate bill No. 204 was read first time by title only.

Mr. Hayes moved that the rules be further suspended and that senate bill No. 204 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—24.

Absent—Messrs. Alley, Crosno, Denny, Huston, Maxwell, and Myers—6.

So the rules were suspended, and senate bill No. 204 was read second time by title only.

On motion of Mr. Hayes, the bill was referred to the committee on corporations.

Senate bill No. 205. Mr. Woodard, by request. (By unanimous consent.) A bill to amend an act entitled "An act to provide for recording of wills," approved February 5, 1891.

Senate bill No. 205 was read first time.

Mr. Willis moved that the rules be suspended and that senate bill No. 205 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Mr. President—25.

Absent—Messrs. Crosno, Huston, Maxwell, Myers, and Woodard—5.

So the rules were suspended and senate bill No. 205 was read second time by title only.

On motion of Mr. Willis, the bill was referred to the committee on judiciary.

Senate bill No. 206. Mr. Alley. (By unanimous consent.) A bill for an act to provide for the propagation and preservation of salmon and other food fishes in the waters of the Siuslaw river and its tributaries, and to appropriate money therefor.

Senate bill No. 206 was read first time.

Mr. Alley moved that the rules be suspended and that senate bill No. 206 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, McAlister, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Mr. President—24.

Absent—Messrs. Crosno, Huston, Maxwell, McGinn, Myers, and Woodard—6.

So the rules were suspended and senate bill No. 206 was read second time by title only.

On motion of Mr. Alley, the bill was referred to the committee on fishing industries.

Mr. McGinn, chairman of the committee on engrossed bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 70, beg leave to report the same back to the senate.

H. E. MCGINN,  
Chairman.

Mr. Cameron, chairman of the committee on corporations, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred house bill No. 18, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

In section 6, line 2, strike out the word "householder" and insert in lieu thereof the word "resident."

## AMENDMENT.

In section 6, line 2, strike out the word "taxpayer" and insert in lieu thereof the words "and has property on which he pays a tax."

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, the report was adopted.

On motion of Mr. Cameron, senate bill No. 18 was ordered engrossed and to third reading tomorrow.

Senate bill No. 207. Mr. Cross, by request. (By unanimous consent.) A bill for an act to change the boundary line of Multnomah and Clackamas counties, in the state of Oregon.

Senate bill No. 207 was read first time.

Mr. Cross moved that the rules be suspended and that senate bill No. 207 be read second time now and by title only.



On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, McAlister, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Alley, Crosno, Huston, Matlock, Maxwell, McGinn, and Smith—7.

So the rules were suspended and senate bill No. 207 was read second time by title only.

On motion of Mr. Cross, the bill was referred to the committee consisting of the senators from Multnomah and Clackamas counties.

On motion of Mr. Weatherford, the courtesies of the senate were extended to Hon. T. J. Stites, and he was invited to a seat within the bar of the senate.

Senate bill No. 208. Mr. Hirsch. (By unanimous consent.) A bill for an act to authorize and empower the governor, secretary of state, and state treasurer of the state of Oregon, composing the board of capitol building commissioners, to negotiate for and purchase the electric-light plant now used to light the capitol and other public buildings, and the necessary materials and machinery to increase the capacity of the same; to employ a superintendent and other labor to operate the said plant for lighting any or all of the public buildings; to condemn lands, easements and rights of way and water power therefor, and to appropriate money therefor.

Mr. Hirsch moved that the rules be suspended and that senate bill No. 208 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McAlister, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Alley, Crosno, Denny, Huston, Matlock, McGinn, and Smith—7.

So the rules were suspended and senate bill No. 208 was read first time by title only.

Mr. Hirsch moved that the rules be further suspended and that senate bill No. 208 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney,

McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Absent—Messrs. Crosno, Huston, Matlock, Maxwell, and McGinn—5.

So the rules were suspended and senate bill No. 208 was read second time by title only.

On motion of Mr. Hirsch, the bill was referred to the committee on ways and means.

Senate bill No. 209. Mr. Myers. (By unanimous consent.) A bill for an act to make counties liable for loss or damage sustained in consequence of defective and dangerous county roads and bridges.

Senate bill No. 209 was read first time.

Mr. Myers moved that the rules be suspended and that senate bill No. 209 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Crosno, Cross, Denny, Gates, Hayes, Looney, Matlock, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Cameron, Dodson, Hirsch, Huston, Maxwell, McGinn, and Raley—7.

So the rules were suspended and senate bill No. 209 was read second time by title only.

On motion of Mr. Myers, the bill was referred to the committee on agriculture.

On motion of Mr. Cameron, the courtesies of the senate were extended to I. W. Vawter, and he was invited to a seat within the bar of the senate.

Mr. Cross, chairman of the special committee to whom was referred senate bill No. 133, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

We, your special committee to whom was referred senate bill No. 133, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

H. E. CROSS,  
Chairman.

Senate bill No. 133 was ordered engrossed and to third reading tomorrow.

Senate bill No. 30 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—26.

Nays—Messrs. Dodson, Gates, and Willis—3.

Absent—Mr. Huston—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 74,—a bill for an act to create a commission to provide for the display of Oregon's resources at the World's Columbian Exposition, to define its duties, and to appropriate money therefor.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate joint resolution No. 8.

And the same is herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced he was about to sign senate joint resolution No. 8, and soon thereafter that he had signed the same.

Mr. Dodson, chairman of the committee on counties, submitted the following reports:—

**REPORT.**

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1893. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 161, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. M. DODSON,  
Chairman.

On motion of Mr. Cogswell, senate bill No. 161 was laid upon the table.

**REPORT.**

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 166, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

**AMENDMENT.**

In line 43, section 1, printed bill, insert after the word "Union," "and Wallowa."

**AMENDMENT.**

In line 45, section 1, printed bill, insert after the word "Baker," "and Malheur."

**AMENDMENT.**

In line 47, section 1, printed bill, strike out the word "and" after the word "Grant," and insert after the word "Morrow," "and Harney."

O. M. DODSON,  
Chairman.

On motion of Mr. Dodson, the report was adopted.

On motion of Mr. Dodson, senate bill No. 166 was ordered engrossed and to third reading tomorrow.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President :*

Your committee on counties, to whom was referred senate bill No. 143, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

Strike out all after the word "latitude" in section 1, line 13, printed bill, and insert in lieu thereof the following: Thence due south on the range line between ranges 35 and 35½ east of Willamette meridian to a point where said range line is intersected by The Dalles military road; thence due east to a point where the range line of the United States surveys will be intersected between ranges 36 and 37 east of the Willamette meridian; thence in an easterly direction to the summit of the Burnt river mountains in township 15 south of range 36 east; thence easterly and following the summit of said Burnt river mountains to the intersection of the south boundary line of township 14 south of range 43 east; thence east on the said south boundary line of township 14 to the middle channel of Snake river between the state of Oregon and the state of Idaho; thence down the middle of the main channel of Snake river to the mouth of the Powder river, to the place of beginning.

O. M. DODSON,  
Chairman.

On motion of Mr. Dodson, the report and amendments were adopted.

By unanimous consent, Mr. Dodson asked leave to present an engrossed copy of senate bill No. 143, the same having the amendments engrossed therein.

There being no objection, the same was presented.

Senate bill No. 143 was again read.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cross, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McAlister, McGinn, Steiwer, Willis, Woodard, and Mr. President—18.

Nays—Messrs. Blackman, Cogswell, Denny, Matlock, Myers, Raley, Smith, Vanderburg, Veatch, and Weatherford—10.

Absent—Messrs. Crosno and Huston—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 2, 1893. }

*Mr. President:*

I am directed by the speaker to return to you senate bill No. 63.  
And the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

By unanimous consent, Mr. Denny submitted the following amendment to senate bill No. 63:—

#### AMENDMENT.

Amend the title of senate bill No. 63 by striking out all of the title after the word, "to" in first line of the title, and insert in lieu thereof, "amend section 2992 of chapter XX. of Hill's annotated laws of Oregon."

There being no objection, the title was so amended, and the title of the bill was ordered to stand as the title of the act.

Senate bill No. 99 coming on for third reading, was read third time.

Mr. Veatch moved the senate do now adjourn.

Lost.

Messrs. Cameron and Raley moved the previous question.

The president announced, "Shall the main question be now put?"

The motion prevailed.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Butler, Denny, Gates, Maxwell, and Weatherford—5.

Nays—Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Hayes, Hirsch, Looney, Matlock, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Myers and Huston—2.

So the bill failed to pass.

On motion of Mr. McGinn, the senate adjourned.

O. P. MILLER,  
Chief clerk.

## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1893. }

The senate was called to order at 2 o'clock P. M. by the president. The roll was called, and the absentees were Messrs. Huston, Raley, Myers, and Weatherford.

Mr. Huston was granted leave of absence.

Mr. McGinn, chairman of the committee on engrossed bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 65, 86, 21, 119, 125, and 133, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senate bill No. 169 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Huston, Myers, Raley, and Weatherford—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Denny, chairman of the committee on judiciary, submitted the following reports:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 141, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

O. N. DENNY,  
Chairman.

On motion of Mr. Weatherford, senate bill No. 141 was ordered engrossed and to third reading tomorrow.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 115, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

Strike out after the word “nugatory” in line 9 of the printed bill, the words, “by the act of the defendant,” and insert in lieu thereof the words, “without the fault of the plaintiff.”

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Denny, senate bill No. 115 was ordered engrossed and to third reading tomorrow.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 24, beg leave to report that we have had the same under con-



sideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Willis, senate bill No. 24 was laid on the table.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 84, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

#### AMENDMENT.

Section 1, lines 1, 2, 3, and 4 of printed bill, strike out all of this section and insert in lieu thereof the following words:

Section 1. Every railroad company organized or doing business in this state, shall be liable for all damages done to any employé of such company in consequence of any negligence or misunderstanding of its agents, engineers, or other employés, to any person sustaining such damages; *provided*, that this act shall in no manner relieve the person so injured from the effects of contributory negligence on his part.

O. N. DENNY,  
Chairman.

On motion of Mr. Cogswell, senate bill No. 84 was laid on the table.

On motion of Mr. Cogswell, the amendment was ordered printed.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 103, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

Strike out all of said bill after the enacting clause and insert in lieu thereof the following words:—

Section 1. That the legal rate of interest in the state of Oregon shall be six per cent per annum on all moneys after the same become due on judgments and decrees, for the payment of money, on money received to the use of another and retained beyond a reasonable time without the owner's consent, express or implied, or upon money due upon the settlement of mutual accounts from the day the balance is ascertained, on money due or to become due where there is a contract to pay interest and no rate specified. But on contracts the parties thereto may agree upon any rate of interest.

Section 2. That sections 3587, 3588, 3589, 3590, 3591, 3593, and 3594 of chapter XLV., miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, and all laws and parts of laws in conflict herewith are hereby repealed.

O. N. DENNY,  
Chairman.

Mr. Denny moved the adoption of the report.

Mr. Veatch moved to amend by laying the bill on table.

The motion prevailed.

On motion of Mr. Veatch, the amendment was ordered printed.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 91, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

Section 1, line 4, printed bill, after the words and figures: "Section 295 (292)," strike out all the remainder of said section 1, which includes all the remainder of said bill, and insert in lieu thereof the following words: If, at any time after the entry of judgment, a period of ten consecutive years shall have elapsed without an execution being issued on such judgment during such period, no execution shall thereafter issue on such judgment, and such judgment

shall thereafter be conclusively presumed to be paid and satisfied, unless an execution be issued thereon within one year from the passage of this act.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Willis, senate bill No. 91 was ordered engrossed and to third reading tomorrow.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 128, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Cross, senate bill No. 128 was ordered engrossed and to third reading tomorrow.

On motion of Mr. Cogswell, the courtesies of the senate were extended to ex-Judge L. R. Webster, and he was invited to a seat within the bar of the senate.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 129, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Butler, senate bill No. 129 was ordered engrossed and to third reading to-morrow.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 140, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, senate bill No. 140 was ordered engrossed and to third reading tomorrow.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 107, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

After the words "commencement thereof," at the beginning of line 6 of printed bill, strike out all the remainder of said bill and insert in lieu thereof the following words: Whether the holding be by oral or written contract.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Hayes, senate bill No. 107 was ordered engrossed and to third reading tomorrow.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 130, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

AMENDMENT.

Amend the title of the act by striking out the word "miscellaneous" and inserting in lieu thereof the word "general," so as to read "general laws of Oregon."

AMENDMENT.

Amend line 7, subdivision 3 of printed bill by inserting after the words "adverse claim" the following: "estate or interest," so as to read, "adverse claim, estate, or interest in real property."

AMENDMENT.

Strike out after the word "agreement," line 8, printed bill, the words "for the sale of real property," and insert in lieu thereof the words "in relation thereto."

Strike out all after the word "complaint," in line 12 of printed bill, which includes all the remainder of said bill.

O. N. DENNY,  
Chairman.

Mr. Denny moved the adoption of the report.

Mr. Hayes moved to lay the bill on the table.

The motion prevailed.

On motion of Mr. Hayes, the amendments were ordered printed.

Senate bill No. 164 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—25.

Nays—Mr. Crosno—1.

Absent—Messrs. Huston, Myers, Raley, and Weatherford—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 7 coming on for third reading, was read third time.

On motion of Mr. Cogswell, senate bill No. 7 was laid on the table and ordered printed as amended.

Senate bill No. 43 coming on for third reading, was read third time.

By unanimous consent, the clerk was instructed to strike out the words "where said petition of 10 resident householders of the precinct," in section 4 after the word "precinct," the same being superfluous.

Mr. Cogswell asked unanimous consent to have the clerk insert the word "road" between "the" and "supervisor" in first line of printed bill.

There being no objection, the clerk inserted the word as directed.

Mr. Cross asked unanimous consent to have the clerk insert the word "weed" between the words "any" and "known" in third line of section 2.

There being no objection, the clerk inserted the word "weed" as directed.

On motion of Mr. Cogswell, the clerk was instructed to strike out all of section 9, the same being the emergency clause.

Section 9 was accordingly stricken out.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Matlock, Maxwell, McAlister, Smith, Steiwer, Vanderburg, and Mr. President—20.

Nays—Messrs. Veatch, Willis, and Woodard—3.

Absent—Messrs. Hayes, Huston, Looney, McGinn, Myers, Raley, and Weatherford—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Gates, the courtesies of the senate were extended to ex-Judge Ramsey, and he was invited to a seat within the bar of the senate.

Senate bill No. 82 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Matlock, Maxwell, McAlister, McGinn, Smith, Steiwer, Willis, Woodard, and Mr. President—21.

Nays—Messrs. Cogswell, Vanderburg, and Veatch—3.

Absent—Messrs. Beckley, Huston, Looney, Myers, Raley, and Weatherford—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 78 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Looney, Maxwell, McAlister, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—22.

Nays—Messrs. Cogswell, Hirsch, Matlock, and McGinn—4.

Absent—Messrs. Huston, Myers, Raley, and Weatherford—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 76 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Smith, Steiwer, Vanderburg, Willis, and Woodard—22.

Nays—Messrs. Cameron, Hayes, Veatch, and Mr. President—4.

Absent—Messrs. Huston, Myers, Raley, and Weatherford—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Cogswell moved a call of the senate.

The motion prevailed.

The roll was called and those present were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—26.

Absent—Messrs. Huston, Myers, Raley and Weatherford—4.

Mr. Huston excused.

On motion of Mr. Cogswell, further proceedings under the call of the senate were dispensed with.

Senate bill No. 48 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—24.

Nays—None.

Absent—Messrs. Gates, Hayes, Huston, Myers, Raley, and Weatherford—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Maxwell was granted leave of absence for the balance of the day.

Senate bill No. 135 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hirsch, Looney, Matlock, McAlister, McGinn, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—23.

Nays—None.

Absent—Messrs. Gates, Hayes, Huston, Maxwell, Myers, Raley, and Weatherford—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 102 coming on for third reading, was read third time.

By unanimous consent, the clerk was instructed to strike out the word "in" after the word "deputy," and insert in lieu thereof the word "on."

The amendment was so made.

On motion of Mr. Denny, senate bill No. 102 was laid on the table.

Senate bill No. 142 coming on for third reading, was read third time.

By unanimous consent, the clerk was instructed to strike out the



words "for their consideration" in the twenty-third and twenty-fourth lines.

The same were stricken out.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, McAlister, McGinn, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—25.

Nays—None.

Absent—Messrs. Huston, Maxwell, Myers, Raley, and Weatherford—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 52 coming on for third reading, was read third time.

Mr. Butler moved that the rules be suspended and that senate bill No. 52 be made a special order for tomorrow morning at 10 o'clock.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Hirsch, Looney, Matlock, McAlister, Smith, Vanderburg, Veatch, and Woodard—16.

Nays—Messrs. Alley, Bancroft, Denny, Gates, Hayes, McGinn, Steiwer, Willis, and Mr. President—9.

Absent—Messrs. Huston, Maxwell, Myers, Raley, and Weatherford—5.

So the senate refused to suspend the rules.

Mr. Butler moved to lay senate bill No. 52 on the table.

A division being called for, the motion was lost; 10 to 11.

Mr. Cogswell moved a call of the senate.

A division being called for, the motion was lost; 10 to 11.

Mr. Hirsch moved to adjourn.

Lost.

After quite a lengthy discussion, Mr. Cogswell moved to adjourn.

Messrs. Cogswell and Veatch called for the yeas and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Butler, Cogswell, Crosno, Cross, Hayes, Hirsch, Looney, Matlock, McAlister, Myers, Vanderburg, Veatch—14.

Nays—Messrs. Alley, Bancroft, Cameron, Denny, Dodson, Gates, McGinn, Smith, Steiwer, Willis, Woodard, and Mr. President—12.

Absent—Messrs. Huston, Maxwell, Raley, and Weatherford—4.

The motion prevailed and the senate adjourned.

O. P. MILLER,  
Chief clerk.

FRIDAY, FEBRUARY 3, 1893.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1893. }

The senate was called to order at 10 o'clock A. M. by the president.

The roll was called, and all senators were present except Mr. Maxwell.

On motion of Senator Blackman, the reading of the journal was dispensed with.

On adjournment the senate had under consideration senate bill No. 52.

Mr. Huston asked unanimous consent to have the chief clerk amend senate bill No. 52 by striking out subdivisions 4, 5, and 6 of section 1.

Objected to.

Mr. Huston moved that senate bill No. 52 be re-referred to the committee on education with instructions to amend.

A division being called for, the vote stood—12 for and 14 against.

Mr. Huston moved that senate bill No. 52 be re-referred to the committee on education with instructions to amend the bill by striking out subdivisions 4, 5, and 7 of section 1.

Messrs. Huston and Weatherford called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Butler, Cogswell, Crosno, Hirsch, Huston, Matlock, McAlister, Myers, Vanderburg, Veatch, and Weatherford—13.

Nays—Messrs. Alley, Bancroft, Cameron, Cross, Denny, Dodson, Gates, Hayes, Looney, McGinn, Raley, Smith, Steiwer, Willis, Woodard, and Mr. President—16.

Absent—Mr. Maxwell—1.

So the motion was lost.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Butler, Cogswell, Crosno, Hirsch, Huston, Matlock, Myers, Raley, Vanderburg, and Weatherford—12.

Nays—Messrs. Alley, Bancroft, Cameron, Cross, Denny, Dodson, Gates, Hayes, Looney, McAlister, McGinn, Smith, Steiwer, Veatch, Willis, Woodard, and Mr. President—17.

Absent—Mr. Maxwell—1.

So the bill failed to pass.

Senate bill No. 210. Mr. McGinn. (By unanimous consent.) A bill for an act to amend section 3758 of chapter LVIII. of the general laws of Oregon, as compiled and annotated by William Lair Hill.

Senate bill No. 210 was read first time and passed to second reading without question.

Mr. McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 108, 128, 64, 107, 115, 141, 129, 140, 166, and 91, beg leave to report the same back to the senate as correctly engrossed.

HENRY E. MCGINN,  
Chairman.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 56.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 56 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 93.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 93 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 69.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 69 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 156.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 156 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 153.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 153 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 26.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 26 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 28.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 28 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 23,—a bill for an act to incorporate the town of Cornelius, in the county of Washington, state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 137,—a bill for an act to amend sections 37, 38, and 39 of an act to incorporate the city of Silverton, Marion county, state of Oregon, and to repeal an act entitled an act to incorporate the city of Silverton, Marion county, Oregon, and approved February 16, 1885, and an act entitled an act to amend the act to incorporate the city of Silverton, approved February 15, 1887.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 139,—a bill for an act to incorporate the town of Mt. Angel, in Marion county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 160,—a bill for an act to amend sections 8, 12, 69, 98, 99, and 100 of the act entitled "An act to incorporate the city of Grants Pass, in Josephine county, Oregon, and to define the powers thereof," which passed the legislative assembly of the state of Oregon at the sixteenth regular session thereof, and was filed in the office of the secretary of state, February 18, A. D. 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 166,—a bill for an act granting to the city of Silverton, Marion county, Oregon, authority over the county roads within the corporate limits of said city and making streets of said county roads, when accepted on the part of said city as such.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 213,—a bill for an act to amend an act entitled "An act to incorporate the city of Forest Grove, and to repeal an act entitled "An act to incorporate the town of Forest Grove, in the county of Washington, and to repeal all acts and parts of acts in conflict therewith," approved February 25, 1885, filed in the office of the secretary of state, February 21, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house bill No. 215,—a bill for an act entitled an act to amend section 8 of chapter II., section 22 of chapter III., section 25 of chapter IV., sections 29, 30, and 35 of chapter V., sections 40, 41, and 42 of chapter VI., sections 56, 44, and 65 of chapter VII., section 88 of chapter VIII., and sections 108, 109, 112, and 122 of chapter IX., and to repeal sections 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 102, 103, 104 of chapter VIII., of an act entitled "An act to incorporate the city of La Grande, in the county of Union, state of Oregon, and to repeal an act entitled an act to incorporate the town of La Grande, in the county of Union, state of Oregon," approved December 18, 1865; approved February 4, 1885.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 265,—a bill for an act to incorporate the town of Coburg, Lane county, state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 278,—a bill for an act to incorporate the city of Sweet Home, in Linn county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 348,—a bill for an act to amend an act entitled “An act to incorporate the city of Astoria, in Clatsop county, Oregon, and to repeal an act entitled ‘An act to incorporate the city of Astoria, in Clatsop county, Oregon,’ approved October 20, 1876,” and which was filed February 18, 1891, and to repeal sections 51, 99, 100, and 102 thereof.

And the same is herewith transmitted for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 340,—a bill for an act to amend sections 30 and 37 of chapter V., and section 94 of chapter X., and section 155 of chapter XIII., and section 177 of chapter XIV. of an act entitled an act to incorporate the city of Corvallis, and to define its powers and liabilities, in Benton county, state of Oregon, and to repeal certain acts therein specified, filed in the office of the secretary of state, February 18, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 342,—a bill for an act to incorporate the city of Roseburg, Douglas county, and to define the powers thereof, and

to repeal an act entitled an act to incorporate the city of Roseburg, approved October 3, 1872, and an act entitled an act to amend an act entitled an act to incorporate the city of Roseburg, approved October 19, 1880; and an act to amend an act entitled an act to incorporate the city of Roseburg, approved October 3, 1872, and also an act entitled an act to amend an act to incorporate the city of Roseburg, approved February 23, 1889; also an act amendatory of said acts filed in the office of the secretary of state, February 19, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. McGinn, the senate adjourned.

O. P. MILLER,  
Chief clerk.

### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1893. }

The senate was called to order at 2 o'clock P. M. by the president.

The roll was called and all the senators were present except Mr. Maxwell.

Mr. Cogswell, chairman of the committee on federal relations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1893. }

*Mr. President :*

Your committee on federal relations, to whom was referred house joint memorial No. 8 with instructions to have the same printed, beg leave to report that the same has been printed.

C. A. COGSWELL,  
Chairman.

Mr. Cogswell moved that the senate concur in the adoption of the memorial.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, McAlister, Smith, Steiwer, Vanderburg, Willis, Woodlard, and Mr. President—23.

Nays—Messrs. Hirsch, Myers, Raley, Veatch, and Weatherford—5.

Absent—Messrs. Maxwell and McGinn—2.

So the senate concurred in the adoption of house joint memorial No. 8.

Mr. Denny, chairman of the committee on judiciary, submitted the following reports:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 70, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

#### AMENDMENT.

Section 1, line 1 of printed bill, after the words "within this state," insert the following words: "having a population of 2,500 or more according to the last official census made by the state or general government"; also in section 1, line 5 of printed bill, after the words "affected thereby," insert the words "to whom the cost of or"; also in section 1, line 6 of printed bill, after the words "notice of."

#### AMENDMENT.

Section 3, line 7 of printed bill, after the words "parcel of land," insert the words "or other property"; also in section 3, line 8, after the word "made," insert the words "or which bears or is chargeable"; also in section 3, line 9, after the words "parcel of land," insert the words "or other property"; also in section 3, line 10, after words "parcel of land," insert the words "or other property"; also in section 3, line 13, after the words "lot of land," insert the words "or other property"; also in section 3, line 13, after the words "parcel of land," insert the words "or other property."

## AMENDMENT.

Section 4, line 8 of printed bill, after the words "their date and," insert the word "be."

## AMENDMENT.

Section 5, line 1 of printed bill, after the words "parcel of land," insert the words "or other property"; also in section 5, line 4, after the words "parcel of land," insert the words "or other property"; also in section 5, line 6, after the words "parcel of land" insert the words "or other property"; also in section 5, line 10, after the words "parcel of land," insert the words "or other property"; also in section 5, line 12, after the words "parcel of land," insert the words "or other property"; also in section 5, line 17, after the words "parcel of land," insert the words "or other property."

## AMENDMENT.

Section 10, lines 2 and 3 of printed bill, strike out the final words "approved by the governor," and insert in lieu thereof the word "passage."

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Bancroft, senate bill No. 70 was ordered engrossed and to third reading tomorrow.

## REPORT.

• SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 148, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Myers, further consideration of senate bill No. 148 was indefinitely postponed.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 146, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

## AMENDMENT.

Strike out all of section 3 and change the numbers of sections 4, 5, 6, 7, 8, and 9 to read sections 3, 4, 5, 6, 7, and 8.

## AMENDMENT.

In section 7, line 16 of printed bill, page 5, after the words "duty of the," strike out the words "state's" and insert in lieu thereof the word "district," so as to read "district attorney" instead of "state's attorney."

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Dodson, senate bill No. 146 was ordered engrossed and to third reading tomorrow.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 163, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

Section 1, line 4 of printed bill, after the words "bawdy house" at the beginning of the line, insert the words "for the purpose of prostitution, fornication, or lewdness"; also in section 1, line 6,

strike out the word "fifty" and insert in lieu thereof the words "twenty-five," so as to read "twenty-five dollars"; also in section 1, line 6, strike out the words "three hundred" and insert in lieu thereof the words "two hundred and fifty," so as to read "two hundred and fifty dollars"; also in section 1 strike out lines 8 and 9 of the printed bill.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Denny, senate bill No. 163 was ordered engrossed and to third reading tomorrow.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 159, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

Section 1, line 7 of printed bill, after the words "foreclosed, and" strike out the word "giving."

#### AMENDMENT.

Strike out all of section 4.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Denny, senate bill No. 159 was ordered engrossed and to third reading tomorrow.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February, 2, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 154, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

#### AMENDMENT.

Section 1, line 9 of printed bill, after the words "to such," strike out the words "point or location" and insert in lieu thereof "points or locations"; also in section 1, line 13 of printed bill, after the words "as not to" insert the word "unnecessarily"; also in section 1, line 13, after the words "obstruct or" strike out the words "unnecessarily injuriously."

#### AMENDMENT.

Section 2, line 1 of printed bill, after the word and figure "section 2," strike out the words "that the legislative assembly of this state" and insert in lieu thereof the words "the county court of Clatsop county."

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Denny, senate bill No. 154 was ordered engrossed and to third reading tomorrow.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 139, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Crosno, further consideration of senate bill No. 139 was indefinitely postponed.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill

No. 145, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

AMENDMENT.

Section 1, lines 1 and 2 of printed bill, after the words "convicted of" in line 1, strike out the words "treason, murder, rape, robbery, burglary, arson, larceny, perjury, or counterfeiting or any other" and insert in lieu thereof the word "any."

AMENDMENT.

Section 2, line 2 of printed bill, after the words "producing to the," strike out the word "said"; also in section 2, after the word "officer," in line 3, strike out the words "accompanied by an order from the county court of said county for the body or bodies of such person or persons."

AMENDMENT.

Section 3, line 5 of printed bill, after the words "for the," strike out the word "said"; also in section 3, line 5, after the word "amount," insert the word "so."

AMENDMENT.

Section 4, line 1 of printed bill, after the words "sheriff of," strike out the word "said" and insert in lieu thereof the words "any other"; also in section 4, line 1, after the word "county," insert the words "than the one"; also in section 4, line 1, after the word "crime," strike out the word "is" and insert in lieu thereof the word "was"; also in section 4, line 3, beginning with the word "provided," strike out all the remainder of section 4.

AMENDMENT.

Strike out all of section 5.

O. N. DENNY,  
Chairman.

Mr. Denny asked unanimous consent that the following amendment be made in the report:—

AMENDMENT.

In line 3, section 4, after the word "thereof," strike out the word "said" and insert the word "the."



The chief clerk was instructed to make such amendment.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Cross, senate bill No. 145 was ordered engrossed and to third reading tomorrow.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 4.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. Denny, house joint resolution No. 3, laid on the table and ordered printed as amended, was taken from the table, and by unanimous consent taken up and read with the various reports as follows:—

#### HOUSE JOINT RESOLUTION NO. 3.

Proposing an amendment to the constitution of the state of Oregon.

*Resolved by the House, the Senate concurring,* That the following amendment to the constitution of the state of Oregon be and is hereby proposed:—

That section 2 of article II. be amended so as to read as follows:—

Sec. 2. In all elections not otherwise provided for by this constitution, every male citizen of the United States of the age of twenty-one years and upwards who shall have resided in the state during the six months immediately preceding such election (and every male of foreign birth of the age of twenty-one years and upwards who shall have resided in this state during the six months immediately preceding such election, and shall have declared his intention to become a citizen of the United States three years preceding such election, conformably to the laws of the United States on the subject of naturalization) shall be entitled to vote at all elections authorized by law, but registration laws may be enacted by the legislative assembly.

#### AMENDMENT BY MR. NORTHUP.

To strike out the words: "And every white male of foreign birth of the age of twenty-one years and upwards who shall have resided

in this state during the six months immediately preceding such election, and shall have declared his intention to become a citizen of the United States one year preceding such election conformably to the laws of the United States on the subject of naturalization.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1893. }

*Mr. President:*

Your committee on elections, to whom was referred house joint resolution No. 3, beg leave to report that we have had the same under consideration, and respectfully report the following substitute for the same same, and recommend that it be adopted.

C. H. WOODARD,  
Chairman.

G. E. HAYES.

## HOUSE JOINT RESOLUTION NO. 3.

Proposing an amendment to the constitution of the state of Oregon.

*Resolved by the House, the Senate concurring,* That the following amendment to the constitution of the state of Oregon be and is hereby proposed:—

Section 2. In all elections not otherwise provided for by this constitution, every male citizen of the United States, of the age of twenty-one years and upwards, who can write his name and who can read the constitution of the United States in the English language, shall be entitled to vote at all elections authorized by law; but registration laws may be enacted by the legislative assembly.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house joint resolution No. 3, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do concur in said resolution upon being amended to read as follows:—

## HOUSE JOINT RESOLUTION NO. 3.

Proposing an amendment to the constitution of the state of Oregon.

*Resolved by the House, the Senate concurring :*

That the following amendment to the constitution of the state of Oregon be and is hereby proposed: That section 2 of article II. be amended to read as follows:—

Section 2. In all elections not otherwise provided for by this constitution, every male citizen of the United States, of the age of twenty-one years and upwards, who can write his name and who can read the constitution of the United States in the English language, shall be entitled to vote at all elections authorized by law; but registration laws may be enacted by the legislative assembly; *provided, however*, that persons who shall be entitled to vote in this state at the time of the adoption of this amendment shall not be prevented from voting by reason of their inability to read and write.

O. N. DENNY,  
Chairman.

Mr. Denny moved the adoption of the report.

Division being called for, the report was adopted; sixteen to eight.

Mr. Denny moved that the senate concur in the adoption of house joint resolution No. 3.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, McAlister, Raley, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—20.

Nays—Messrs. Beckley, Blackman, Crosno, Hirsch, McGinn, Myers, Smith, and Weatherford—8.

Absent—Messrs. Maxwell and Veatch—2.

So the senate concurred in the adoption of house joint resolution No. 3.

Mr. Cameron, chairman of the committee on mining, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1893. }

*Mr. President :*

Your committee on mining, to whom was referred senate bill No. 29, beg leave to report that we have had the same under

consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In section 1, line 7, after the word "obtained" in the printed bill, insert the following. "It shall be the duty of the state mineralogist and geologist when possible to collect triplicate specimens, and after properly labeling and classifying, furnish the state university at Eugene and the state agricultural college at Corvallis with one set each."

AMENDMENT.

In section 2, line 3, strike out the word "four" and insert "two."

AMENDMENT.

In line 5, strike out the word "three" and insert "two."

AMENDMENT.

In section 3, line 3, strike out the words "as required of the same" and insert the words, "when necessary to determine the character or value of the same free of charge to the citizens of this state."

AMENDMENT.

Section 4 to be numbered section 7 after striking out in line 1 the words "state mineralogist and geologist" and insert "board of trustees." In line 2, strike out the word "he" and insert "they."

AMENDMENT.

Section 5 to be numbered section 4. Section 6 to be numbered section 5. In line 8 of said section after the word "museum" strike out the words, "and shall have the right to appoint a custodian of the museum and other employes, subject to the approval of the board of trustees."

AMENDMENT.

Section 7 to be numbered section 6.

AMENDMENT.

In section 10, strike out the word "six" and insert "four."

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, the report was adopted.

On motion of Mr. Cameron, senate bill No. 29 was ordered engrossed and to third reading tomorrow.

By unanimous consent, Mr. Hirsch introduced senate concurrent resolution No. 18.

SENATE CONCURRENT RESOLUTION NO. 18.

*Resolved by the Senate, the House concurring,* That the secretary of state be and is hereby authorized and directed to cause to be published eleven thousand five hundred (11,500) copies of the amended school laws, including the amendments made at the regular session of January and February, 1893, and to include also the constitution of Oregon, the rules and regulations of the state board of education, and a uniform system of institute and grade work and series of necessary blank forms for the use of teachers, district clerks, and school directors of our public schools.

*Resolved further,* That the secretary of state shall cause this compilation of the school laws to be arranged, annotated and compiled under the direction and supervision of the attorney-general and the superintendent of public instruction, who shall, when the school laws are printed and completed, distribute sufficient supplies to the several county superintendents in this state, who shall cause the same to be immediately distributed to the several school officers and teachers in their respective counties.

*Resolved further,* That each member of the legislative assembly shall be furnished with a copy of the new compilation of school laws when completed and published.

On motion of Mr. Hirsch, the resolution was adopted.

On motion of Mr. Cogswell, the vote by which house bill No. 87 was passed to third reading was reconsidered.

On motion of Mr. Weatherford, house bill No. 87 was referred to a special committee consisting of the senator from Crook, Klamath, and Lake counties.

Mr. Willis, chairman of the special committee to whom was referred senate bill No. 1, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1893. }

*Mr. President:*

Your committee of senators from Multnomah county, to whom was referred senate bill No. 1, beg leave to report that we have had the same under consideration, and respectfully report it back to the

senate with the recommendation that it do pass with the following amendment:—

AMENDMENT.

Strike out all after the enacting clause and insert after such clause the following:—

Section 1. That in addition to the two circuit judges now provided by law, there shall be elected on the first Monday in June, 1894, and at the general election every six years thereafter, two circuit judges in the fourth judicial district of this state, who shall possess the qualifications prescribed by law for circuit judges, and whose term of office shall commence on the first Monday of July, 1894, and who shall hold said office for the term of six years and until their successors are elected and qualified.

Section 2. The duties, jurisdiction, and power of said circuit judges shall be such as are prescribed by the constitution and laws of this state, except as hereinafter expressly provided; and their salaries shall be the same as that of other circuit judges, and be paid in the same manner.

Section 3. That section 883 of Hill's annotated laws be amended to read as follows:

Sec. 883. The business of the circuit court of said district shall be apportioned among the several judges thereof, and, for convenience, one division thereof shall be designated as department No. 1, one division as department No. 2, one division as department No. 3, and one division as department No. 4.

First. All actions at law now pending in said circuit court, or that may hereafter be pending, including all actions commenced therein or that may be brought there, by appeal or otherwise, from any inferior court, officer, or tribunal, or any other court, shall be heard and determined in departments Nos. 1 and 2, in the same manner and to the same extent and with like effect as courts of law have heretofore heard and determined such actions in this state, except as herein otherwise expressly provided.

Second. In the assignment of business belonging to the said departments 1 and 2, all actions at law, appeals or other proceedings belonging to said departments shall be numbered in the regular and consecutive order of their filing, and the clerk of the court shall assign to department No. 1 all actions, appeals, or other proceedings designated by odd numbers.

Third. All suits in equity and all applications to the equity side of the court now pending in said court, or that may hereafter be commenced or otherwise pending therein, including appeals from the county courts in the nature of equitable proceedings, and

all suits and proceedings in divorce and for dissolution of the marriage contract, and partitions of real property shall be heard and determined in department No. 3 in the same manner and to the same extent and with like effect as courts of equity have heretofore heard and determined like suits and proceedings in this state, except as herein otherwise provided.

Fourth. All indictments now pending in said court, or that may hereafter be found or pending therein, including appeals from inferior courts in criminal cases, and all criminal proceedings of every nature or description commenced or brought into said court, shall be transacted, heard, and determined in department No. 4 in the same manner and to the same extent and with like effect as like criminal business has heretofore been transacted, heard, and determined in this state, except as herein or otherwise provided; *provided, always*, that all actions, suits, proceedings, or other business in said court, tried and heard before either of the judges of said district, and appealed to the supreme court of the state prior to the passage of this act, which may be returned to the said court for a new trial, shall be heard and determined by the judge before whom such cause was tried before such appeal was taken; and all business found in one department belonging to the other, according the foregoing classification, may be transferred by the order of the court, so as to be heard and determined in the proper department, but it shall be lawful to do any of the business of said court in either of said departments; and it shall be the duty of the clerk of the said court to arrange the papers and files in his office so as to carry out the purpose of this act.

Section 4. That section 887 of Hill's annotated laws be amended so as to read as follows:

Sec. 887. The judge who shall be sitting as judge of department No. 1, as now constituted in said district, at the date when this act goes into effect, shall preside over department No. 1, as constituted by this act, until his successor is elected and qualified; and the judge who shall be sitting as judge in department No. 2, as now constituted at the date when this act goes into effect, shall preside over department No. 3, as constituted by this act, until his successor is elected and qualified. It shall be the duty of the governor within twenty days after this act goes into effect, to appoint two circuit judges to fill departments 2 and 4 created by this act, both of whom shall not be members of the same political party; and in making such appointment he shall designate which judge shall preside over department No. 2 and which shall preside over department No. 4, and such judges so appointed shall within ten days thereafter qualify in the same manner as other circuit judges, and thereupon such



judges shall preside over their respective departments so designated until their successors are elected and qualified; *provided, however,* that any of the judges in said district may act in any one of said departments; and in case of the absence or disability of a judge in any department, it shall be the duty of the judges of the other departments, so far as practicable, to act in said department. The judges of said court shall jointly and severally have power to make all needful rules and regulations, not inconsistent with law, to effectuate the object of this act and facilitate the transaction of business.

Section 5. At every general election ensuing after this act goes into effect at which there is to be one or more circuit judges to be elected in said district, the department for which a judge is to be elected shall be stated upon the ballots.

Section 6. Inasmuch as there is an urgent need of the judges provided by this act, this act shall take effect and be in force from and after its passage.

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, the report was adopted.

On motion of Mr. Willis, senate bill No. 1 was ordered engrossed and to third reading tomorrow.

Mr. Alley, chairman of the committee on fisheries, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1893. }

*Mr. President:*

Your committee on fisheries, to whom was referred house bill No. 4, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. F. ALLEY,  
Chairman.

House bill No. 4 was ordered to third reading tomorrow.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1893. }

*Mr. President:*

Your committee on agriculture, to whom was referred senate bill No. 162, beg leave to report that we have had the same under con-



sideration, and respectfully report it back to the senate with the recommendation that it be re-referred to the senators from the first and second agricultural districts of this state.

W. S. VANDERBURG,  
Chairman.

Senate bill No. 162 was so referred.

### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1893. }

*Mr. President:*

Your committee on agriculture, to whom was referred senate bill No. 170, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. S. VANDERBURG,  
Chairman.

Senate bill No. 170 was ordered engrossed and to third reading tomorrow.

On motion of Mr. Smith the courtesies of the senate were extended to Hon. A. S. Bennett, and he was invited to a seat within the bar of the senate.

Senate bill No. 46 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Huston, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, and Woodard — 22.

Nays — Messrs. Gates, Hirsch, Looney, Matlock, McGinn, Willis, and Mr. President — 7.

Absent — Mr. Maxwell — 1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 40 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Maxwell and Raley—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 21 coming on for third reading, was read third time.

Mr. Woodard presented the following communication from the Astoria chamber of commerce:—

#### COMMUNICATION.

*To the Honorable the Senate of the Legislative Assembly of the State of Oregon, in session:* The chamber of commerce of Astoria, Oregon, deeming it to be of the utmost importance that the dignity of this commonwealth should be maintained and its rich and varied products be publicly displayed, in common with those of her sister states, at the approaching World's Exposition at Chicago, Illinois, most respectfully petition your honorable body to grant state aid for that purpose to the amount of one hundred thousand dollars.

Done by order of the Astoria chamber of commerce, this twenty-sixth day of January, A. D. 1893.

G. WINGATE,  
President.

Attest: E. C. HOLDEN,  
[SEAL.] Secretary.

By unanimous consent, Mr. Cross submitted the following amendment:—

#### AMENDMENT.

After the word "dollars," in section 10, line 3, insert the words: "*provided*, no part of said appropriation shall be used in the construction of a state building or club-house."

There being no objection, the amendment was adopted and the chief clerk was instructed to so amend the bill.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Crosno, Cross, Denny, Dodson, Hirsch, Looney, Matlock, McAlister, McGinn, Raley, Willis, Woodard, and Mr. President—18.

**Nays**—Messrs. Beckley, Cogswell, Gates, Huston, Myers, Smith, Steiwer, Vanderburg, Veatch, and Weatherford—10.

**Absent**—Messrs. Hayes and Maxwell—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Hirsch, the courtesies of the senate were extended to Hon. C. B. Moores, and he was invited to a seat within the bar of the senate.

Mr. Willis moved that when the senate adjourn it does adjourn until 9 o'clock A. M. tomorrow.

Carried.

Mr. Cogswell, chairman of the special committee to whom was referred house bill No. 87, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1893. }

*Mr. President:*

Your special committee, to whom was referred house bill No. 87, beg leave to report that he has had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

#### AMENDMENT.

In printed bill, on page 2, line 3 of section 2, article I., strike out words "three fourths" and insert "three eighths" in lieu thereof.

#### AMENDMENT.

Also in line 4 of said section 2, article I., strike out the words "three fourths" and insert in lieu thereof the words "three eighths."

#### AMENDMENT.

On page 14, printed bill, strike out all of section 2 of article VII.; change section 3 of said article VII. to section 2, section 4 to section 3, section 5 to section 4, section 6 to section 5, and section 7 to section 6.

C. A. COGSWELL,

Senator from Crook, Klamath, and Lake.

On motion of Mr. Cogswell, the report was adopted.

On motion of Mr. Cogswell, house bill No. 87 was ordered to third reading tomorrow.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

**REPORT.**

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 69, 153, 156, and senath joint resolution No. 4, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

Mr. Raley moved that the senate do now adjourn.

Messrs. Cogswell and Weatherford called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Crosno, Denny, Dodson, Gates, Looney, Matlock, McAlister, McGinn, Raley, Steiwer, Woodard, and Mr. President—16.

Nays—Messrs. Beckley, Butler, Cogswell, Cross, Hayes, Hirsch, Huston, Myers, Smith, Vanderburg, Veatch, Weatherford, and Willis—13.

Absent—Mr. Maxwell—1.

So the senate adjourned.

O. P. MILLER,  
Chief clerk.

**SATURDAY, FEBRUARY 4, 1893.**

**MORNING SESSION.**

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1893. }

The senate was called to order at 9 o'clock A. M. by the president.

The roll was called, and all the senators were present except Messrs. Raley and Weatherford.

The senate was opened with prayed by Rev. Mr. Lund of the Episcopal Church.

On motion of Mr. Blackman, the reading of the journal was dispensed with.

By unanimous consent, Mr. Willis introduced senate resolution No. 25.

SENATE RESOLUTION NO. 25.

*Resolved*, That during the remainder of this session of this legislative assembly speeches shall be limited to five minutes, and each senator shall be limited to one speech on each question which shall be debatable before the senate, except that the senator who made the motion or introduced the bill under discussion may speak twice thereon.

Mr. Willis moved the adoption of the resolution.

Messrs. Myers and Veatch called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Looney, Matlock, McAlister, McGinn, Steiwer, Willis, Woodard, and Mr. President—17.

Nays—Messrs. Beckley, Blackman, Butler, Huston, Myers, Smith, Vanderburg, and Veatch—8.

Absent—Messrs. Crosno, Hirsch, Maxwell, Raley, and Weatherford—5.

So the resolution was adopted.

Mr. Veatch gave notice that he would on tomorrow move for a reconsideration of the vote by which senate bill No. 52 failed to pass.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 3, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 125,—a bill for an act entitled "An act to amend section 2752 and repeal sections 2753, 2754, 2755, 2756, 2757 of title III. of chapter XVII. of the miscellaneous laws of Oregon, as compiled by W. Lair Hill, relating to the assessment of property and the collection of taxes.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 3, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 169,—a bill for an act to amend an act entitled "An act to regulate the salaries of county judges of the state of Oregon," approved February 20, 1885, approved February 21, 1887, approved February 25, 1889, and filed in the office of the secretary of state February 18, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 3, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate amendments to house joint resolution No. 3 and adopted the same as amended.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 3, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 176,—a bill for an act to fix the fees and compensation of the county clerk and sheriff of Umatilla county, and fix a salary therefor, and to amend section 2343 of title one (I.) and section 2370 of title two (II.), chapter eleven (XI.) of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 3, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 95,—a bill for an act to annul section 2 of an act passed February 20, 1889, the same being entitled "An act to annul an act entitled 'An act to create and establish a board of railroad commissioners, and to define and regulate its powers and define its duties, and fix the compensation of its members,'" approved February 18, 1887, and being chapter LXXIII. of the general laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 3, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 67,—a bill for an act to repeal section 2343 of Hill's annotated laws of Oregon, being entitled "An act for additional compensation to clerks and sheriffs in certain counties," approved February 23, 1885.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 3, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 64,—a bill for an act to prevent the production and sales of unwholesome foods and medicines, and to repeal the act entitled "An act to prevent the production and sales of unwholesome foods, and to regulate the sales of adulterated foods, drinks, and medicines," approved February 25, 1889.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 65 coming on for third reading.

On motion of Mr. Denny, senate bill No. 65 was laid on the table.

Mr. Willis moved that the rules be suspended and that the senate now take up house bills on second reading.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Looney, McGinn, Steiwer, Willis, Woodard, and Mr. President—16.

Nays—Messrs. Beckley, Blackman, Cogswell, Huston, Matlock, McAlister, Myers, Smith, Vanderburg, Veatch, and Weatherford—11.

Absent—Messrs. Hirsch, Maxwell, and Raley—3.

So the senate refused to suspend the rules.

Senate bill No. 211. Mr. Beckley. (By unanimous consent.) An act to amend an act entitled "An act to incorporate the city of Oakland."

Senate bill No. 211 was read first time.

Mr. Beckley moved that the rules be suspended and that senate bill No. 211 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Looney, Matlock, McGinn, Myers, Smith, Steiwer, Veatch, Weatherford, and Mr. President—21.

Nays—Messrs. Willis and Woodard—2.

Absent—Messrs. Hirsch, Huston, Maxwell, McAlister, Raley, and Vanderburg—6.

Not voting—Mr. Alley—1.

So the rules were suspended and senate bill No. 211 was read second time by title only.

On motion of Mr. Myers, the bill was referred to a select committee consisting of the senators from Douglas county, with leave to report at any time.

Senate bill No. 212. Mr. Weatherford. (By unanimous consent.) A bill for an act amending sections 2 and 34 of an act of the legislative assembly of the state of Oregon, entitled "An act to incorporate the city of Albany, Linn county, state of Oregon, and to repeal all acts or parts of acts in conflict herewith," passed by



the senate, January 28, 1891, passed by the house, February 2, 1891.

Senate bill No. 212 was read first time.

Mr. Weatherford moved that the rules be suspended and that senate bill No. 212 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Dodson, Hayes, Huston, Looney, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—24.

Nays—Mr. Matlock—1.

Absent—Messrs. Cogswell, Denny, Gates, Hirsch, and Maxwell—5.

So the rules were suspended and senate bill No. 212 was read second time by title only.

Mr. Weatherford moved that the rules be further suspended and that senate bill No. 212 be not printed and considered engrossed and to third reading tomorrow.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Huston, Looney, Matlock, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, and Woodard—20.

Nays—Messrs. Butler, Cross, Denny, Dodson, Hayes, and Mr. President—6.

Absent—Messrs. Gates, Hirsch, Maxwell, and Veatch—4.

So the rules were suspended and senate bill No. 212 was considered engrossed and ordered to third reading tomorrow.

Mr. Bancroft moved that the rules be suspended and that house bill No. 233 be read first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Looney, McAlister, McGinn, Raley, Smith, Steiwer, Weatherford, Willis, Woodard, and Mr. President—22.

Nays—Messrs. Cross, Huston, and Vanderburg—3.

Absent—Messrs. Hirsch, Maxwell, Myers, and Veatch—4.

Not voting—Mr. Matlock—1.

So the rules were suspended and house bill No. 233 was read first time by title only.

Mr. Bancroft moved that the rules be further suspended and that house bill No. 233 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Looney, Matlock, McAlister, McGinn, Smith, Steiwer, Weatherford, Willis, Woodard, and Mr. President—22.

Nays—Messrs. Cross, Huston, Vanderburg, and Veatch—4.

Absent—Messrs. Hirsch, Maxwell, Myers, and Raley—4.

So the rules were suspended and house bill No. 233 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on military affairs.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 55, 163, 96, 70, 154, 159, and 145, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senate bill No. 119 coming on for third reading, was read third time.

By unanimous consent, Mr. Crosno asked to have the clerk strike out the words after "Lane county line" down to and including "Lane county," the same being a repetition.

There being no objection, the correction was made.

By unanimous consent, Mr. Cogswell asked to have the clerk strike out the word "Bay" wherever it occurs and insert in lieu thereof the word "Lincoln."

There being no objection, the clerk inserted the word Lincoln in place of the word Bay wherever it occurred.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Nays—None.

Absent—Mr. Maxwell—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Denny, chairman of the committee on judiciary, submitted the following reports:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 50, relating to the compensation of different county officers, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the whole subject matter stricken out after the enacting clause, and substitute for the same the following:

Section 1. Each of the county clerks of the several counties in this state in which there exists such office shall receive a salary as follows: Baker, \$1,800; Benton, \$1,800; Clackamas, \$1,800; Clatsop, \$2,000; Columbia, \$1,200; Coos, \$1,200; Crook, —; Curry, \$1,000; Douglas, \$2,000; Gilliam, \$1,500; Grant, \$1,200; Harney, \$1,200; Jackson, \$2,000; Josephine, \$1,000; Klamath, \$1,000; Lake, \$1,000; Lane, \$2,000; Linn, \$1,800; Malheur, \$1,000; Marion, \$2,000; Morrow, \$2,000; Multnomah, —; Polk, \$1,500; Sherman, \$1,200; Tillamook, \$1,500; Umatilla, \$2,000; Union, \$1,800; Wallowa, \$1,500; Wasco, \$2,000; Washington, \$1,800; Yamhill, \$1,500.

Section 2. Clerks of the circuit courts and county courts, chosen as such by law in any of the counties of this state, where such offices exist separate and apart from the office of the county clerk, shall each receive an annual salary as follows: Multnomah county, \$4,500.

Section 3. The recorders of conveyances elected as such in any of the counties of this state, shall each receive the following annual salaries, to wit: Baker, \$1,500; Clackamas, \$1,500; Clatsop, \$2,000; Jackson, \$1,800; Linn, \$1,500; Multnomah, \$3,000; Marion, \$1,800; Polk, \$800; Umatilla, \$1,800; Union, \$1,500; Washington, \$1,200; Yamhill, \$1,400.

Section 4. The sheriffs of the several counties in this state shall receive an annual salary as follows: Baker, \$2,000; Benton, \$2,000; Clackamas, \$2,000; Clatsop, \$2,000; Columbia, \$1,500; Coos, \$1,500; Crook, —; Curry, \$1,200; Douglas, \$2,000; Gilliam, \$2,000; Grant, \$2,000; Harney, \$1,500; Jackson, \$2,000; Josephine, \$1,200; Klamath, \$1,500; Lake, \$1,500; Lane, \$2,000; Linn, \$2,000; Malheur, \$1,500; Marion, \$2,500; Morrow, \$1,500; Multnomah, \$5,000; Polk, \$1,800; Sherman, \$1,800; Tillamook, \$1,200; Umatilla, \$2,500; Union, \$2,500; Wallowa, \$2,000; Wasco, \$2,000; Washington, \$2,000; Yamhill, \$2,000.

Section 5. The salaries herein provided for in favor of the said county clerks, recorder of conveyances, clerks of the circuit and county courts, and sheriffs, shall be audited and paid by the several counties to the respective parties entitled thereto, in monthly payments, and in the same manner that other county charges are paid. And no one of such officials shall be entitled to receive any fees or other compensation for his services than as above provided and except as hereinafter provided, except for furnishing to private parties copies of the records and files in his office, for their benefit and convenience, in which case he shall be entitled to charge such private parties therefor at the rate of ten cents a folio, but shall not be entitled to anything for authenticating such copies, beyond including the number of words contained in the certificate of authentication in his computation of the number of folios.

Section 6. The sheriffs of the several counties in the state shall be entitled to receive the same compensation now allowed by law for the board and keeping of prisoners confined in the county jail of his county. He shall also be entitled to demand and receive to his own use any reward offered in pursuance of law for the apprehension of any person charged with or suspected of crime where he has earned the same by a compliance with such offer, and to receive from the state the fees now allowed by law for transporting and conveying convicts to the state penitentiary, and insane or idiotic persons to the state asylum, when conveyed by him in pursuance of the adjudication of an authorized tribunal of the state. Sheriffs shall also be entitled to claim from the plaintiff or moving party in any suit, action, or proceeding such reasonable sums of money as they may have been compelled to pay or incur on account of the care of property in their custody under attachment, execution, or proceeding for the claim and delivery of personal property. Where sheriffs are required to travel into another county or state to make an arrest or receive a prisoner already in custody, he shall receive, upon filing with the county court an expense account duly verified, his actual and necessary expense incurred in making such arrest and in returning such prisoner, to be audited in like manner as other claims against the county.

Section 7. Coroners of the several counties of the state shall also be entitled to the same fees now allowed for the performance of service in an action, suit, or proceeding where the sheriff is a party, and the party paying the same shall be entitled to recover the amount paid from the adverse party as a disbursement when entitled to costs in the case.

Section 8. It shall be the duty of the several clerks of the circuit and county courts in this state at the time any suit, action, or pro-

ceeding for the enforcement of private rights, including appeals and writs of review but not proceedings in probate matters is instituted, to exact from the plaintiff or moving party in such suit, action, or proceeding the sum of five dollars, and no complaint, transcript upon appeal, or petition for a writ of review shall be filed therein until such payment is made. Such clerk shall also at the time of filing any answer, demurrer, or motion in any such action, suit, or proceeding upon the part of the defendant exact from such defendant the sum of three dollars, which paper shall not be deemed filed unless such payment is so made. And such clerk shall also exact from such plaintiff or moving party at the time such suit, action, or proceeding comes on for final trial or hearing upon question of fact or law involved therein, unless referred to a referee, and except upon demurrer, an additional sum of twelve dollars, which shall be paid before any such trial shall be had therein. And every such clerk upon receiving any money, as provided in this section, shall immediately pay the same over to the county treasurer of his county and take his receipt therefor, which shall specify the title of the case and the name of the party paying the same. The amounts so paid by parties to appeals, actions, suits, or proceedings shall constitute disbursements in the case and be taxable as such in favor of the party entitled to costs therein as in other cases of taxation of disbursements.

Section 9. The several sums required to be paid by parties litigant to the respective officials in appeals, actions, suits, and proceedings as provided for in the two preceding sections of this act, are intended to be in lieu of the fees such parties have heretofore been required to pay said officials in such matters, and also in lieu of the trial fee such parties were prior to the adoption of this act required by law to pay; and no such fees or trial fee last referred to shall hereafter be exacted from such parties in such cases. In all other cases, however, in which fees are allowed to county clerks, recorders of conveyances, clerks of the circuit and county courts, and sheriffs in civil matters, including fees in probate proceedings, it shall be the duty of the said officials respectively to exact and receive from the parties required by law to pay the same; and the service for which the fee is allowed shall not be performed until such fee is paid to the official required to perform the same, which fee shall, upon the day it is paid to the official, be paid over by him to the county treasurer of his county, and a receipt taken therefor, which shall specify the kind of service performed and the name of the person from whom received. And none of the said officials shall be allowed any monthly payments of his salary until he exhibits to the auditing board all receipts of money so received,

and if it be ascertained at any time that such official has received any money for such fees not so accounted for, or done service without exacting the fee therefor as above mentioned, or neglected his duty in any other respect, the payment of his salary shall be withheld until the matter is fully rectified.

Section 10. In case of disagreement between any of the officials referred to in the last preceding section and the county court of his county concerning the audit, allowance, or payment of any item claimed by such official for the performance of any service, and the determination thereof by such court is unsatisfactory to the official, the latter shall have the right to have the matter reviewed by the judge of the circuit court for such county in the same manner, as near as practicable, as the taxation of costs by the clerks of the circuit courts are reviewed by the judge thereof. The decision of the said judge, however, shall not be final where the amount of the claim is fifty dollars, or the question in controversy involves pecuniary interests to that amount. In such case such decision shall be appealable to the supreme court, and it shall be heard in that tribunal upon the findings of fact and law made by the circuit judge.

Section 11. Whenever any county clerk, recorder of conveyances, clerk of the circuit or county courts herein referred to, or sheriff appoints a deputy, it shall be the duty of such official to report the same to the county court of his county, which court shall enter in its minutes the said report; and if the said court is of the opinion that the services or any part thereof of such deputy should be paid by the county, it shall fix the amount thereof to be paid by the county by an order duly entered specifying the same, which amount shall be so paid by the county in the same manner as other charges are paid as before mentioned.

Section 12. The provisions of this act shall not apply to the clerks, sheriffs, or recorders of conveyances now in office. All acts and parts of acts in conflict herewith are hereby repealed.

O. N. DENNY,  
Chairman.

Mr. Blackman moved to strike out \$1,200 and insert \$2,000, so that it will read the clerk of Grant shall receive \$2,000; also strike out "the clerk of Harney county shall receive \$1,200" and insert in lieu thereof the clerk of Harney shall receive \$2,000; also strike out the words "the clerk of Morrow county shall receive \$1,200" and insert in lieu thereof the clerk of Morrow county shall receive \$2,000.

The motion prevailed, and the report was so amended.

Mr. Weatherford moved to strike out the words "the county



clerk of Linn county shall receive \$1,800" and insert the words the county clerk of Linn county shall receive \$2,000.

The motion prevailed, and the report was so amended.

Mr. Butler moved to strike out the words "the county clerk of Polk county shall receive \$1,500" and insert in lieu thereof the words the county clerk of Polk county shall receive \$1,600.

The motion prevailed, and the report was so amended.

Mr. Huston moved to amend the report relating to the salary of recorder of Washington county so that it will be \$1,500 in place of \$1,200.

The motion prevailed, and the report was so amended.

Mr. Butler moved to amend the report relating to salary of recorder of Polk county by striking out \$800 and inserting in lieu thereof \$1,000.

The amendment was adopted.

Mr. Butler moved to amend the report relating to the salary of sheriff for Polk county by striking out \$1,800 and inserting \$2,000.

The amendment was adopted.

Mr. Blackman moved to amend the report relating to the salaries of sheriffs in the counties of Grant, Harney, and Morrow by striking out \$2,000 for Grant, \$1,500 for Harney, and \$1,500 for Morrow and insert in lieu thereof for Grant county, \$2,400, Harney county \$2,400, and Morrow county, \$2,400.

Mr. Bancroft moved to amend the report as follows relating to Multnomah county so that the salaries of the county officers shall be as follows: Sheriff, \$5,000; first deputy, \$1,800; second deputy, \$1,200; recorder, \$3,000; first deputy, \$1,500; second deputy, \$1,200; clerk of county court, \$4,500; first deputy, \$1,800; clerk of circuit court, \$4,500; four deputies each, \$1,800; prosecuting attorney, \$6,000; first deputy, \$3,000; second deputy, \$1,200; treasurer, \$2,000; assessor (extend foot and balance roll), \$3,000; first deputy, \$1,500; school superintendent, \$2,200.

On motion of Mr. Bancroft, the amendment was adopted.

Mr. Cogswell moved to amend by adding to the bill section 12, as follows:

The provisions of this act, as far as it relates to the salary of clerks and sheriffs, shall not apply to the counties of Crook, Klamath, and Lake, and the county clerks and sheriffs of such counties shall receive the fees and compensation for their services that they receive at the time this act took effect.

The senate refused to adopt the amendment.

Mr. Cogswell moved to amend the report by striking out that portion relating to fees of sheriffs in the counties of Crook, Lake, and Klamath.

Lost.

On motion of Mr. Cross, the report as amended was adopted.

On motion of Mr. Cross, the clerk was ordered to have senate bill No. 50 printed as amended.

Senate bill No. 50 was ordered engrossed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 21.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 21 was ordered enrolled.

Mr. Raley moved that the rules be suspended and that house bill No. 125 be read first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—26.

Nays—Messrs. Beckley and Weatherford—2.

Not voting—Messrs. Huston and Veatch—2.

So the rules were suspended and house bill No. 125 was read first time by title only.

Mr. Raley moved that the rules be further suspended and that house bill No. 125 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—28.

Nays—Mr. Weatherford—1.

Absent—Mr. Denny—1.

So the rules were suspended and house bill No. 125 was read second time by title only.

Mr. Raley moved that the rules be further suspended and that house bill No. 125 be read third time now and placed upon its final passage.



On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Cogswell, Denny, Dodson, Gates, Hayes, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Willis, and Woodard—18.

Nays—Messrs. Alley, Butler, Crosno, Cross, Hirsch, Huston, Looney, Vanderburg, Veatch, Weatherford, and Mr. President—11.

Absent—Mr. Cameron—1.

So the senate refused to suspend the rules.

Mr. Huston moved to strike out section 2 of the bill.

Messrs. Looney, Blackman, and Raley called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Beckley, Cameron, Denny, Hirsch, Huston, Looney, Myers, Vanderburg, Veatch, and Weatherford—11.

Nays—Messrs. Bancroft, Blackman, Butler, Cogswell, Crosno, Cross, Dodson, Hayes, Matlock, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Willis, Woodard, and Mr. President—18.

Absent—Mr. Gates—1.

The motion was lost.

Mr. Raley moved that the rules be suspended and that house bill No. 125 be made a special order for next Tuesday at 2 o'clock P. M.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—26.

Nays—Messrs. Alley, Veatch, and Weatherford—3.

Absent—Mr. Cross—1.

So the rules were suspended and house bill No. 125 was made a special order for Tuesday at 2 o'clock P. M.

Messrs. Raley and Cross were granted leave of absence until Tuesday.

Messrs. Beckley, Crosno, Gates, and Veatch were excused until Monday.

Mr. Dodson moved that when the senate adjourn it be to meet at 10 o'clock A. M. on Monday next.

Mr. Veatch moved to amend by striking out "10 o'clock" and inserting "2 o'clock P. M."

The amendment was adopted.

The motion as amended was lost.

Mr. Willis moved that when the senate adjourn it be to meet at 1:30 o'clock P. M. today.

The motion was adopted.

On motion of Mr. Cogswell, the senate adjourned.

O. P. MILLER,  
Chief clerk.

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### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1893. }

The senate was called to order at 1:30 o'clock P. M.

The roll was called, and Messrs. Beckley, Blackman, Butler, Crosno, Cross, Gates, Hirsch, Huston, Looney, Matlock, McGinn, Myers, Vanderburg, Veatch, and Woodard were absent.

On motion of Mr. Willis, the sergeant-at-arms was instructed to have all absent senators here at 10 o'clock A. M. Monday.

On motion of Mr. Bancroft, the senate adjourned.

O. P. MILLER,  
Chief clerk.

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MONDAY, FEBRUARY 6, 1893.

### MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1893. }

The senate was called to order at 10 o'clock A. M. by the president.

The roll was called, and Messrs. Beckley, Crosno, Cross, Hayes, Hirsch, Huston, Looney, Matlock, McGinn, Veatch, and Weatherford were absent.

Messrs. Cross, Crosno, and Veatch were absent on leave.

Mr. Cogswell moved that when the senate adjourn it be to meet at 1:30 o'clock P. M.

Carried.

On motion of Mr. Raley, the senate adjourned.

O. P. MILLER,  
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1893. }

The senate was called to order at 1:30 o'clock P. M. by the president. The roll was called, and Messrs. Beckley, Cross, and Raley were absent.

Messrs. Cross and Raley were absent on leave.

Mr. Beckley was excused for the day.

On motion of Mr. Blackman, the reading of the journal was dispensed with.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 4, 1893. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 123,—a bill for an act to amend sections four (4) and fifty-six (56) of an act entitled an act fixing the time for holding elections, regulating the manner of conducting state, district, county, and precinct elections, prescribing the manner of making nominations of candidates, providing for printing and distributing ballots by public officers at public expense, to prevent frauds and punish crimes affecting the right of suffrage, to repeal all of an act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I. of chapter XIV. of the miscellaneous laws of Oregon, approved February 24, 1885; to repeal all of an act entitled an act to amend sections 4, 10, 14, and 24 of an act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I. of chapter XIV. of the miscellaneous laws of Oregon, approved February 24, 1885, approved November 25, 1885; to repeal all of an act entitled an act to amend section 49 of an act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I. of chapter XIV. of the miscellaneous laws of Oregon, approved Feb-

ruary 24, 1885, approved November 25, 1885; to repeal an act entitled an act relating to elections, approved October 19, 1872; to repeal sections 26, 27, and 28 of an act entitled an act relating to elections and the mode of filling vacancies in office, approved October 29, 1870; to repeal all of an act entitled an act to amend section 2507 of Hill's annotated laws of Oregon, relating to elections and ballot paper, approved February 20, 1889, the same being identical with titles I. and II. of chapter XIV., sections 2499 to 2537, both inclusive, of the miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill, and to repeal all acts or parts of acts in conflict with this act, approved February 13, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 3, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 69, 153, and 156, and also senate joint resolution No. 4.

And the same are herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president stated that he was about to sign senate bills Nos. 69, 153, and 156, and senate joint resolution No. 4, and soon thereafter announced that he had signed the same.

Mr. Bancroft, chairman of the committee on military affairs, submitted the following report:—

#### REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 4, 1893. }

*Mr. President:*

Your committee on military affairs, to whom was referred house bill No. 233, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

F. A. BANCROFT,  
Chairman.

Mr. Fulton, chairman of the special committee, to whom was referred senate bill No. 179, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1893. }

*Mr. President:*

Your select committee, to whom was referred senate bill No. 179, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,  
Chairman.

Mr. Bancroft moved that the rules be suspended and that house bill No. 233 be made a special order for tomorrow at 3 o'clock P. M.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cogswell, Denny, Dodson, Gates, Hirsch, Huston, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—20.

Absent—Messrs. Beckley, Cameron, Crosno, Cross, Hayes, Looney, McAlister, Raley, Veatch, and Weatherford—10.

So the rules were suspended and house bill No. 233 was made the special order for tomorrow at 3 o'clock P. M.

Senate bill No. 212. Mr. Smith. (By unanimous consent.) A bill for an act to regulate railroad traffic between Celilo and The Dalles.

Mr. Smith moved that the rules be suspended and that senate bill No. 213 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Dodson, Gates, Hirsch, Huston, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—20.

Absent—Messrs. Beckley, Crosno, Cross, Denny, Hayes, Looney, McAlister, Raley, Veatch, and Weatherford—10.

So the rules were suspended and senate bill No. 213 was read first time by title only.

Mr. Smith moved that the rules be further suspended and that senate bill No. 213 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Dodson, Gates, Hirsch, Huston, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President — 20.

Absent — Messrs. Beckley, Crosno, Cross, Denny, Hayes, Looney, McAlister, Raley, Veatch, and Weatherford — 10.

So the rules were suspended and senate bill No. 213 was read second time by title only.

On motion of Mr. Smith, the bill was referred to the committee on commerce.

Senate bill No. 214. Mr. Alley. (By unanimous consent.) A bill for an act granting to F. H. Rogers, his heirs, associates, and assigns, a right to establish, operate, and maintain a ferry across the Siuslaw river, in Lane county.

Senate bill No. 214 was read first time.

Mr. Alley moved that the rules be suspended and that senate bill No. 214 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Gates, Hirsch, Huston, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President — 21.

Absent — Messrs. Beckley, Crosno, Cross, Denny, Dodson, Hayes, Looney, McAlister, and Raley — 9.

So the rules were suspended and senate bill No. 214 was read second time by title only.

On motion of Mr. Alley, the bill was referred to the committee on corporations.

Senate bill No. 215. Mr. McGinn. (By unanimous consent.) A bill for an act to amend an act entitled "An act to authorize the cities of Portland, East Portland, and Albina to construct, purchase, or acquire by condemnation or other means, one or more bridges across the Willamette river between the city of Portland and East Portland in Multnomah county, Oregon, which bridge or bridges shall be free to all pedestrians and all classes of vehicles and traffic, except railways and street railways," by adding thereto section 25, providing for the issuing by the commission provided for in said act of bonds, in addition to those in said act provided for, to the amount of not more than two hundred thousand dollars, for the purpose of purchasing or condemning and rendering free what is known as the Morrison-street bridge, in the city of Portland, Oregon.

Senate bill No. 215 was read first time.

Mr. McGinn moved that the rules be suspended and that senate bill No. 215 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Beckley, Blackman, Butler, Cameron, Cogswell, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Veatch, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Bancroft, Crosno, Cross, Denny, Hayes, McAlister, Raley, and Vanderburg—8.

So the rules were suspended and senate bill No. 215 was read second time by title only.

On motion of Mr. McGinn, the bill was referred to a special committee consisting of the senators from Multnomah county.

Mr. Cameron, chairman of the committee on corporations, submitted the following report:—

# REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 188, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

T. CAMERON,  
Chairman.

Mr. Blackman moved that the rules be suspended and that senate bill No. 188 be considered engrossed and read a third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McGinn, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—21.

Nays—Mr. Veatch—1.

Absent—Messrs. Beckley, Crosno, Cross, Denny, Hayes, McAlister, Myers, and Raley—8.

So the rules were suspended and senate bill No. 188 was considered engrossed, read third time, and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McGinn, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Beckley, Crosno, Cross, Hayes, McAlister, Myers, and Raley—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Cameron, chairman of the committee on corporations, submitted the following reports:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 173, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

#### AMENDMENT.

1. In lines 9 and 10 of the printed bill strike out the words "and they shall have the power to fill all vacancies in their body, as these may from time to time occur, by resignation, expulsion, death, or otherwise."

#### AMENDMENT.

2. After the word "churches" in line 8 of the printed bill, insert the following: "and that the trustees at present constituting the board of trustees of said Tualatin academy and Pacific university shall continue in office and have power to organize the board provided for in this act, as follows: At the first regular annual meeting of the present board of trustees after this bill shall become a law, they shall proceed to elect a sufficient number of trustees to make the number of such trustees twelve, exclusive of the president of the institution; that such twelve trustees shall for the purposes of transacting business constitute the lawful board of trustees; that at such meeting said board so constituted shall deposit the names



of all of said trustees in a box, and that the secretary of said board shall proceed to draw therefrom each of said names by lot, the first two names drawn shall constitute the first class, whose term of office shall expire in one year; the next two names drawn shall constitute the second class, whose term of office shall expire in two years; the next two names drawn shall constitute the third class, whose term of office shall expire in three years; the next two names drawn shall constitute the fourth class, whose term of office shall expire in four years; the next two names drawn shall constitute the fifth class, whose term of office shall expire in five years; the next two names drawn shall constitute the sixth class, whose term of office shall expire in six years. The board so constituted shall at its regular annual meetings have power to fill all vacancies in said board which shall occur by reason of the expiration of terms of the trustees, or by reason of the resignation, or the death of any member of the board, and may add new members to said board, provided said board shall at no time exceed eighteen members, exclusive of the president of the institution. All members elected to fill vacancies occurring by the expiration of the terms of office of members of the board, and new members not elected to fill vacancies occurring by death or resignation, shall hold their offices for six years; and those elected to fill vacancies occasioned by death or resignation, shall hold their offices for the unexpired term to which they may have been elected.

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, the report was adopted.

On motion of Mr. Huston, senate bill No. 173 was ordered engrossed and to third reading tomorrow.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 10,—urging congress to take control and give financial assistance to the building of the Nicaraguan canal, etc.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## HOUSE JOINT MEMORIAL NO. 10.

*To the Congress of the United States:* Your memorialist, the legislative assembly of the state of Oregon, would respectfully represent that, whereas we are firm believers in what is known as the "Monroe doctrine;" and whereas the building of the Nicaraguan canal would shorten the distance for water transportation between New York and Portland, Oregon, nine thousand miles, thereby saving a great deal of time and expense in the transportation of freight between said points; and whereas the building of said canal would greatly increase the trade and commerce of the United States, especially between its eastern and western seaports; and whereas the building of said canal would cheapen a great many of the necessities of life to the consumer of the west, and would furnish them a better and nearer market for the products of their farms and mines; therefore we urgently ask that congress take supervision and control of the building of this canal, giving to it financial assistance, but would recommend that the assistance so given be given only upon the condition that the United States have and retain control of said canal, and that it have a first lien upon said canal and the proceeds thereof for the money so advanced; and your memorialists will ever pray.

On motion of Mr. Alley, house joint memorial No. 10 was referred to the committee on commerce.

Senate bill No. 216. Mr. McGinn. (By unanimous consent.) An act to amend the present method of trial by jury.

Senate bill No. 216 was read first time.

Mr. McGinn moved that the rules be suspended and that senate bill No. 216 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Absent—Messrs. Beckley, Cross, Denny, McAlister, and Raley—5.

So the rules were suspended and senate bill No. 216 was read second time by title only.

On motion of Mr. McGinn, the bill was referred to the committee on judiciary.

Senate bill No. 217. Mr. Willis, by request. (By unanimous consent.) A bill for an act to authorize and direct the governor, secretary of state, and state treasurer of the state of Oregon, as and composing the board of capitol building commissioners, to nego-

tiated and procure the cancellation of the light contract with the Oregon Electric Light Company, so as to secure the restoration to the state of the water power, grounds, and buildings now occupied and used by said company under said contract and the release of the state from the payments required by said contract, and to enter into a contract with the Salem Light and Power Company for the lighting of the state house and other state buildings and institutions at the state capitol, and to appropriate money therefor.

Whereas some six and one half years ago the state entered into a contract with the Oregon Electric Light Company for the lighting for ten years with electricity the state institutions at the state capitol, the state being obligated thereby to pay said company the sum of \$5,000 each year during said term of ten years; and whereas the service furnished by said company is grossly inadequate, insufficient, unreliable, and unsatisfactory, and the state is required, by reason of the poor quality and insufficiency of the lights furnished and the failure of said company to furnish necessary lights, to expend annually large additional sums of money for gas and other lights, and besides, the system of lighting used by said company in the capitol building is dangerous, and has at times started fires in the capitol building and endangers the safety of the buildings and archives of the state, and the said sum of \$5,000 being paid each year by the state to said company is exorbitant and unreasonable; and whereas by the terms of said contract said company is in possession of and using certain water power, grounds, and buildings belonging to the state, which the state by the terms of said contract is bound to provide and furnish said company during the whole of said ten years in addition to paying said sum of \$5,000 per year, and the state now requires and needs to use said water power, grounds, and buildings; and whereas to continue said contract for the unexpired term would entail upon the state the loss of \$17,500 to be paid to said company in addition to the use of said water power, grounds, and buildings, and the further sums the state would be required to pay for gas in order to sufficiently light its buildings during said term; and whereas the Salem Light and Power Company has a complete, well-equipped, and extensive lighting plant at the city of Salem, and possess ample facilities to furnish the state all of the electric light of the best quality required for the public buildings at the state capitol, and offers to enter into a contract with the state to do the lighting of all public buildings and state institutions at the state capitol at rate less than the state could procure light in any other manner; and whereas a great saving would result to the state by making such contract with said Salem Light and Power Company, and the state will thereby be supplied with

proper, necessary, and sufficient lights for its buildings, and the danger of fire to the state house and destruction of the archives would be averted.

Senate bill No. 217 was read first time.

Mr. Willis moved that the rules be suspended and that senate bill No. 217 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hirsch, Huston, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—24.

Absent—Messrs. Beckley, Cross, Hayes, Looney, McAlister, and Raley—6.

So the rules were suspended and senate bill No. 217 was read second time by title only.

On motion of Mr. Willis, the bill was referred to the committee on judiciary.

Senate bill No. 218. Mr. McGinn. (By unanimous consent.) A bill for an act to amend sections 211 and 212 of Hill's annotated laws of Oregon, as compiled and annotated by William Lair Hill.

Senate bill No. 218 was read first time.

Mr. McGinn moved that the rules be suspended and that senate bill No. 218 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—24.

Absent—Messrs. Beckley, Cross, Hayes, McAlister, Raley, and Weatherford—6.

So the rules were suspended and senate bill No. 218 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on judiciary.

Senate bill No. 219. Mr. Myers, by request. (By unanimous consent.) A bill for an act to amend section 13 of an act to regulate the practice of medicine and surgery in the state of Oregon, and which act was filed in the office of the secretary of state, February 28, 1891.

Senate bill No. 219 was read first time.

Mr. Myers moved that the rules be suspended and that senate bill No. 219 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Smith, Steiwer, Vandenburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Beckley, Cross, and Raley—3.

So the rules were suspended and senate bill No. 219 was read second time by title only.

On motion of Mr. Myers, the bill was referred to the committee on judiciary.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 22, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

#### AMENDMENT.

Amend section 2, by striking out all after the words "guilty of," in line 14 of said section in the engrossed bill, and insert in lieu thereof the words, "murder and punished accordingly."

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

There being no objection, the chief clerk inserted the amendment as directed.

Senate bill No. 22 was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, McGinn, Myers, Smith, Steiwer, Vandenburg, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—None.

Absent—Messrs. Beckley, Cross, Maxwell, Raley, and Veatch—5.  
So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Denny, chairman of the committee on labor, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1893. }

*Mr. President:*

Your committee on labor, to whom was referred senate bill No. 152, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

#### AMENDMENT.

Section 1, line 6 of printed bill, after the word “false” strike out the words “written or printed”; and also in same section and line after the word “matter” insert the words “written or printed.”

#### AMENDMENT.

Section 2, line 2 of printed bill, after the word “against” insert the words “in the matter of compensation or time.”

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Denny, senate bill No. 152 was ordered engrossed and to third reading tomorrow.

Mr. Cameron, chairman of the committee on mining, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1893. }

*Mr. President:*

Your committee on mining, to whom was referred senate bill No. 72, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

Strike out the word "to" on line 7 of the printed bill.

AMENDMENT.

Insert the word "of" in line 8 of the printed bill between the words "purposed" and "draining."

AMENDMENT.

Add to section 1 the following: "And provided further that the provision of this act shall not apply to any mine, lode, mining claim, deposit shaft, tunnel, exit, drift, or other mining property held or worked under any lease, unless the work be done and the material furnished at the instance and request of the owner of the mining property, if such lease be recorded in the public records of the county wherein the property is situated, or be filed with the custodian of the records of deeds of such county at the time such work shall be done or material furnished."

AMENDMENT.

Strike out all of section 2 of the bill.

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, the report was adopted.

On motion of Mr. Dodson, senate bill No. 72 was ordered engrossed and to third reading tomorrow.

Mr. Crosno, chairman of the committee on education, submitted the following reports:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1893. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 178, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

C. B. CROSNO,  
Chairman.

On motion of Mr. Alley, further consideration of senate bill No. 178 was indefinitely postponed.



## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1893. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 109, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

## AMENDMENT.

In section 19, line 7 of printed bill, after the word "board" insert the following: of the Oregon school for the education of deaf mutes.

## AMENDMENT.

In section 20, line 3, after the word "trustees" insert of the Oregon school for deaf mutes.

C. B. CROSNO,  
Chairman.

On motion of Mr. Crosno, the report was adopted.

On motion of Mr. Crosno, senate bill No. 109 was ordered engrossed and to third reading tomorrow.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 4, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house joint memorial No. 8 and house joint memorial No. 3.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house joint memorial No. 8 and house joint memorial No. 3, and soon thereafter announced that he had signed the same.

Senate bill No. 86 coming on for third reading, was read third time.

By unanimous consent, Mr. Alley submitted the following amendment:—



AMENDMENT.

In section 8, line 6 of the printed bill, after the word "provided]" use a semicolon and insert the word "provided."

There being no objection, the chief clerk was ordered to so amend the bill.

By unanimous consent, Mr. Denny submitted the following amendment:—

AMENDMENT.

In section 12, line 6 of the printed bill, between the "of" and "August" insert the word "July."

There being no objection, the chief clerk was ordered to so amend the bill.

By unanimous consent, senate bill No. 86 was considered as on second reading, and on motion of Mr. Denny senate bill No. 86 was referred to the committee on fishing industries.

On motion of Mr. McGinn, the courtesies of the senate were extended to Hon. W. D. Fenton, and he was invited to a seat within the bar of the senate.

Mr. Willis moved that the rules be suspended and that the senate do now go back to the sixth order of business—second reading of bills.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Cameron, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McGinn, Smith, Steiwer, Woodard, and Mr. President—16.

Nays—Messrs. Blackman, Butler, Cogswell, Huston, Matlock, McAlister, Myers, Vanderburg, Veatch, Weatherford, and Willis—11.

Absent—Messrs. Beckley, Cross, and Raley—3.

So the senate refused to suspend the rules.

Mr. McGinn, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 113, 146, 1, 29, and 170, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

On motion of Mr. Denny, the vote by which senate bill No. 86 was referred to the committee on fishing industries was reconsidered.

On motion of Mr. Denny, the bill was referred to the committee on judiciary.

On motion of Mr. Bancroft, the vote by which senate bill No. 152 was ordered engrossed and to third reading tomorrow was reconsidered.

On motion of Mr. Bancroft, senate bill No. 152 was re-referred to the committee on judiciary.

Senate bill No. 64 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—None.

Absent—Messrs. Beckley, Cross, and Raley—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 106, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1893. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bills Nos. 56, 21, and 93, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

Mr. Hayes, chairman of the committee on railroads, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1893. }

*Mr. President :*

Your committee on railroads, to whom was referred senate bill No. 4, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

G. E. HAYES,  
Chairman.

On motion of Mr. Hayes, senate bill No. 4 was ordered engrossed and to third reading tomorrow.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 6, 1893. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 194,—a bill for an act to enable women to hold educational offices within the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 108 coming on for third reading, was read third time.

On motion of Mr. Myers, senate bill No. 108 was laid on the table.

Senate bill No. 91 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—Mr. Veatch—1.

Absent—Messrs. Beckley, Cross, Matlock, and Raley—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 107 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Veatch, Weatherford, Willis, Woodard, and Mr. President—24.

Nays—None.

Absent—Messrs. Beckley, Cross, Hirsch, McGinn, Raley, and Vanderburg—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 115 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—26.

Nays—None.

Absent—Messrs. Beckley, Cross, Hirsch, and Raley—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 128 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Butler, Cameron, Cogswell, Denny, Dodson, Gates, Hayes, Huston, McGinn, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—16.

Nays—Messrs. Alley, Crosno, Hirsch, Looney, Matlock, Maxwell, McAlister, Myers, Veatch, and Weatherford—10.

Absent—Messrs. Bancroft, Beckley, Cross, and Raley—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 129 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Blackman, Butler, Cameron, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—Messrs. Cogswell and Willis—2.

Absent—Messrs. Bancroft, Beckley, Cross, Raley, Veatch, and Weatherford—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 140 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—25.

Nays—Messrs. Alley and Willis—2.

Absent—Messrs. Beckley, Cross, and Raley—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Blackman, the courtesies of the senate were

extended to Hon. J. McCracken, and he was invited to a seat within the bar of the senate.

Senate bill No. 141 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Blackman, Butler, Cogswell, Dodson, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, and Mr. President—19.

Nays—Messrs. Cameron, Denny, Gates, McGinn, Willis, and Woodard—6.

Absent—Messrs. Alley, Beckley, Crosno, Cross, and Raley—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 166 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Cameron, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McGinn, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—17.

Nays—Messrs. Blackman, Butler, Cogswell, Huston, Matlock, McAlister, Myers, Veatch, and Weatherford—9.

Absent—Messrs. Beckley, Crosno, Cross, and Raley—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 121,—a bill for an act to establish the Oregon soldier's home, and to make an appropriation therefor.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 6, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 93, 56, and 21.

And the same are herewith returned to you for your signature.  
D. C. SHERMAN,  
Chief clerk.

The president stated that he was about to sign senate bills Nos. 93, 56, and 21, and soon thereafter that he had signed the same.

Senate bill No. 55 coming on for third reading, was read third time.

By unanimous consent, Mr. Bancroft submitted the following amendment:—

AMENDMENT.

In section 1, line 3 of printed bill, insert after the word "purpose" the words, "or at the annual school meeting."

There being no objection, the chief clerk was instructed to insert the amendment.

By unanimous consent, Mr. Cogswell submitted the following amendment:—

AMENDMENT.

In section 1, line 8, strike out the words "in any one year."

There being no objection, the chief clerk was instructed to insert the amendment.

By unanimous consent, Mr. Alley submitted the following amendment:—

AMENDMENT.

In section 8, line 2, strike out the words "this article of."

There being no objection, the chief clerk was ordered to so amend the bill.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Dodson, Gates, Hirsch, Huston, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Weatherford, Willis, Woodard, and Mr. President—21.

Nays—Messrs. Hayes and Vanderburg—2.

Absent—Messrs. Beckley, Cross, Denny, Looney, McAlister, Raley, and Veatch—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Messrs. Looney and McAlister were excused for the afternoon.

Mr. Blackman moved that when the senate adjourns it be to meet at 7:30 P. M.

The motion prevailed.

Mr. Weatherford moved that the rules be suspended and that the consideration of municipal corporation bills be the order for this evening.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Blackman, Butler, Cameron, Cogswell, Crosno, Dodson, Gates, Hayes, Hirsch, Huston, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, and Mr. President—20.

Nays—Messrs. Willis and Woodard—2.

Absent—Messrs. Beckley, Cross, Denny, Looney, McAlister, Raley, and Veatch—7.

Not voting—Mr. Bancroft—1.

So the rules were suspended, and municipal corporation bills were made the special order for this evening.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 179,—a bill for an act to amend section 3192 and repealing section 3193 of the general laws of Oregon, as compiled and annotated by W. Lair Hill, and to abolish days of grace upon negotiable instruments.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.



MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 6, 1893. }

*Mr. President:* •

I am directed by the speaker to inform you that the house has passed house bill No. 177,—a bill for an act to amend section 72 of title IX. and section 76 of title X. of chapter I. of the general laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 6, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 154,—a bill for an act entitled an act to amend subdivision three (3) of section 2602, of chapter sixteen (XVI.), title four (IV.), of the miscellaneous laws, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 6, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 105,—a bill for an act to amend sections 144 and 145 of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 6, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 108,—a bill for an act to amend subdivision 1 of section 296 of Hill's annotated laws of Oregon.

And the same is herewith transmitted for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 96 coming on for third reading, Mr. Cogswell moved that senate bill No. 96 be made a special order for 3.30 P. M. tomorrow.

The motion prevailed unanimously.

On motion of Mr. Weatherford, the senate adjourned.

O. P. MILLER,  
Chief clerk.

## EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1893. }

Senate called to order at 7:30 P. M. by the president.

The roll was called, and Senators Beckley, Butler, Cross, Gates, Hirsch, Huston, Maxwell, Raley, and Smith were absent.

Messrs. Beckley, Cross, and Raley were absent on leave.

Mr. Gates was excused for the evening.

Mr. Cameron, chairman of the committee on corporations, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred house bill No. 49, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

AMENDMENT.

To insert the word "East" before the name "Cottage Grove" wherever it appears in printed bill.

AMENDMENT.

Amend title by striking out all after the word "Oregon" in first line.

AMENDMENT.

In section 2 of printed bill strike out all of line 3 after the word "river"; also lines 5, 6, and 7 of said section and insert in lieu thereof the words, "thence down center of said river to A"; also in line 8 after the word "across" strike out the words "river and"; in line 9 insert the word "the" before the word "southern."

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, the report was adopted.

Senate bill No. 220. Mr. Matlock. (By unanimous consent.) A bill for an act to amend sections 2 and 3 of article II.; sections 2, 9, and 10 of article III.; sections 6, 8, 11, 14, 26, 27, and 33 of article V.; sections 10 and 17 of article V. (VI.) of an act entitled an act to incorporate the city of Weston and to repeal an act entitled an act to incorporate the city of Weston, approved October 19, 1878; approved February 20, 1885, and to repeal all of an act entitled an act to amend an act entitled an act to incorporate the city of Weston, and to repeal an act entitled an act to incorporate the city of Weston, approved October 19, 1878; approved February 20, 1885; approved February 25, 1889.

Senate bill No. 220 was read first time.

Mr. Matlock moved that the rules be suspended and that senate bill No. 220 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Denny, Dodson, Hayes, Looney, Matlock, McAlister, McGinn, Myers, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—20.

Absent—Messrs. Beckley, Butler, Crosno, Cross, Gates, Hirsch, Huston, Maxwell, Raley, and Smith—10.

So the rules were suspended and senate bill No. 220 was read second time by title only.

On motion of Mr. Matlock, the bill was referred to the committee on corporations.

House bill No. 18 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Denny, Dodson, Hayes, Looney, Matlock, McAlister, McGinn, Myers, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—19.

Nays—Mr. Weatherford—1.

Absent—Messrs. Beckley, Butler, Crosno, Cross, Gates, Hirsch, Huston, Maxwell, Raley, and Smith—10.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Matlock, the vote by which senate bill No. 220 was referred to the committee on corporations was reconsidered.

Mr. Matlock moved that the rules be suspended and that senate bill No. 220 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Denny, Dodson, Hayes, Looney, Matlock, McAlister, McGinn, Myers, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—20.

Absent—Messrs. Beckley, Butler, Crosno, Cross, Gates, Hirsch, Huston, Maxwell, Raley, and Smith—10.

So the rules were suspended and senate bill No. 220 was considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Denny, Dodson, Hayes, Looney, Matlock, McAlister, McGinn, Myers, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—20.

Nays—None.

Absent—Messrs. Beckley, Butler, Crosno, Cross, Gates, Hirsch, Huston, Maxwell, Raley, and Smith—10.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Alley, the state printer was requested to return senate bill No. 120 to the senate.

House bill No. 119 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Cross, Dodson, Hayes, Looney, Matlock, McAlister, McGinn, Myers, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—20.

Nays—None.

Absent—Messrs. Beckley, Butler, Crosno, Denny, Gates, Hirsch, Huston, Maxwell, Raley, and Smith—10.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Weatherford, the courtesies of the senate were extended to Hon. H. E. Hayes, and he was invited to a seat within the bar of the senate.

House bill No. 286 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Looney, Hayes, Matlock, McAlister, McGinn, Myers, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—21.

Nays—None.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, Maxwell, Raley, and Smith—9.

So the bill passed.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 275 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, McAlister, McGinn, Myers,

Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—21.

Nays—None.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, Maxwell, Raley, and Smith—9.

So the bill passed.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 20 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, McAlister, McGinn, Myers, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—21.

Nays—None.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, Maxwell, Raley, and Smith—9.

So the bill passed.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 87 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—22.

Nays—None.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, Raley, and Smith—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 38 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were;

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno,

Denny, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—22.

Nays—None.

Absent—Messrs. Beckley, Butler, Crosno, Gates, Hirsch, Huston, Raley, and Smith—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 49 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—22.

Nays—None.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, Raley, and Smith—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

By unanimous consent, the senate returned to the sixth order of business, second reading of bills.

Senate bill No. 120 coming on for second reading, was read second time.

Mr. Alley moved that the rules be suspended and that senate bill No. 120 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, Raley and Smith—8.

So the rules were suspended and senate bill No. 120 was considered engrossed, read third time, and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Steiwer, Veatch, Weatherford, Willis, Woodard, and Mr. President—21.

Nays—None.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, Raley, Smith, and Vanderburg—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 6, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 36,—a bill to require custodians of wills to deliver the same for record.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 6, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 127,—a bill for an act to provide for the funding of the indebtedness of the counties of Lake and Klamath at a lower rate of interest.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 6, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has



passed house bill No. 53,—a bill for an act to amend section one (1) of an act entitled an act to license and regulate life and casualty insurance companies and societies, approved and filed in the office of the secretary of state, February 21, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

Mr. Cogswell moved that the senate go back to the first reading of municipal corporation bills.

The motion prevailed unanimously.

House bill No. 316 was read first time and passed to second reading without question.

House bill No. 23 was read first time and passed to second reading without question.

House bill No. 139 was read first time and passed to second reading without question.

House bill No. 166 was read first time and passed to second reading without question.

House bill No. 213 was read first time and passed to second reading without question.

House bill No. 215 was read first time and passed to second reading without question.

House bill No. 265 was read first time and passed to second reading without question.

House bill No. 278 was read first time and passed to second reading without question.

House bill No. 340 was read first time and passed to second reading without question.

House bill No. 342 was read first time and passed to second reading without question.

House bill No. 348 was read first time and passed to second reading without question.

House bill No. 137 was read first time and passed to second reading without question.

House bill No. 187 was read first time and passed to second reading without question.

Mr. Willis moved that the rules be suspended and that house bill No. 316 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister,

McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Nays—None.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, and Smith—7.

So the rules were suspended and senate bill No. 316 was read second time by title only.

The president called Mr. Willis to the chair.

Mr. Fulton was excused for the evening.

Mr. Cogswell moved that the rules be further suspended and that house bill No. 316 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—24.

Absent—Messrs. Beckley, Cross, Hirsch, Huston, Smith, and Mr. President—6.

So the rules were suspended and house bill No. 316 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—20.

Nays—None.

Absent—Messrs. Beckley, Butler, Cross, Denny, Gates, Hirsch, Huston, McGinn, Smith, and Mr. President—10.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The president resumed the chair.

Mr. Willis moved that the rules be suspended and that house bill No. 23 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, and Smith—7.

So the rules were suspended and house bill No. 23 was read second time by title only.

Mr. Cogswell moved that the rules be further suspended and that house bill No. 23 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—24.

Absent—Messrs. Beckley, Cross, Hirsch, Huston, Smith, and Mr. President—6.

So the rules were suspended and house bill No. 23 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—21.

Nays—None.

Absent—Messrs. Beckley, Butler, Cross, Denny, Gates, Hirsch, Huston, Smith, and Mr. President—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Willis moved that the rules be suspended and that house bill No. 187 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, and Smith—7.

So the rules were suspended and house bill No. 187 was read second time by title only.

Mr. Cogswell moved that the rules be further suspended and that house bill No. 187 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—24.

Absent—Messrs. Beckley, Cross, Hirsch, Huston, Smith, and Mr. President—6.

So the rules were suspended and house bill No. 187 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—21.

Nays—None.

Absent—Messrs. Beckley, Butler, Cross, Denny, Gates, Hirsch, Huston, Smith, and Mr. President—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Willis moved that the rules be suspended and that house bill No. 213 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, and Smith—7.

So the rules were suspended and house bill No. 213 was read second time by title only.

Mr. Cogswell moved that the rules be further suspended and that house bill No. 213 be read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—24.

Absent—Messrs. Beckley, Cross, Hirsch, Huston, Smith, and Mr. President—6.

So the rules were suspended and house bill No. 213 was read third time and placed on final passage.

On motion of Mr. McGinn, the courtesies of the senate were extended to Hon. Claude Gatch, and he was invited to a seat within the bar of the senate.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—21.

Nays—None.

Absent—Messrs. Beckley, Butler, Cross, Denny, Gates, Hirsch, Huston, Smith, and Mr. President—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Willis moved that the rules be suspended and that house bill No. 215 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—22.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, Smith, and Mr. President—8.

So the rules were suspended and house bill No. 215 was read second time by title only.

Mr. Cogswell moved that the rules be further suspended and that house bill No. 215 be read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—24.

Absent—Messrs. Beckley, Cross, Hirsch, Huston, Smith, and Mr. President—6.

So the rules were suspended, and house bill No. 215 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—21.

Nays—None.

Absent—Messrs. Beckley, Butler, Cross, Denny, Gates, Hirsch, Huston, Smith, and Mr. President—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Willis moved that the rules be suspended and that house bill No. 137 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, and Smith—7.

So the rules were suspended and house bill No. 137 was read second time by title only.

On motion of Mr. Looney, the bill was referred to the committee on corporations.

Mr. Willis moved that the rules be suspended and that house bill No. 278 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, and Smith—7.

So the rules were suspended and house bill No. 278 was read second time by title only.

Mr. Cogswell moved that the rules be further suspended and that house bill No. 278 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—24.

Absent—Messrs. Beckley, Cross, Hirsch, Huston, Smith, and Mr. President—6.

So the rules were suspended and house bill No. 278 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Dodson, Gates, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—22.

Nays—None.

Absent—Messrs. Beckley, Butler, Cross, Denny, Hirsch, Huston, Smith, and Mr. President—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Willis moved that the rules be suspended and that house bill No. 342 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, and Smith—7.

So the rules were suspended and house bill No. 342 was read second time by title only.

Mr. Cogswell moved that the rules be suspended and that house bill No. 342 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—24.

Absent—Messrs. Beckley, Cross, Hirsch, Huston, Smith, and Mr. President—6.

So the rules were suspended and house bill No. 342 was read third time and placed on final passage.



The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Dodson, Gates, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—22.

Nays—None.

Absent—Messrs. Beckley, Butler, Cross, Denny, Hirsch, Huston, Smith, and Mr. President—8.

Mr. Fulton, by unanimous consent, moved to amend the title of the bill, as follows:—

#### AMENDMENT.

Strike out the title of the bill, and in lieu thereof insert the following: "An act to amend sections 8, 10, 13, 28, and subdivisions 1 and 5 of section 38, and sections 40, 135, 49, 56, 53, 59, 67, 123, 157, 69, 142, 75, 76, 77, 78, 79, 80, 81, 82, 83, 110, 94, 112, 152, and to repeal sections 51, 99, 100, and 102 of an act entitled an act to incorporate the city of Astoria in Clatsop county, state of Oregon, and to repeal an act entitled an act to incorporate the city of Astoria in Clatsop county, Oregon," approved October 20, 1876, which act was filed in the office of the secretary of state, February 18, 1891.

There being no objection, the title was so amended, and the title of the bill as amended stood as the title of the act.

Mr. Willis moved that the rules be suspended and that house bill No. 340 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, and Smith—7.

So the rules were suspended and house bill No. 340 was read second time by title only.

Mr. Cogswell moved that the rules be further suspended and that house bill No. 340 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell,



Crosno, Denny, Dodson, Gates, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—24.

Absent—Messrs. Beckley, Cross, Hirsch, Huston, Smith, and Mr. President—6.

So the rules were suspended and house bill No. 340 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Dodson, Gates, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—22.

Nays—None.

Absent—Messrs. Beckley, Butler, Cross, Denny, Hirsch, Huston, Smith, and Mr. President—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Willis moved that the rules be suspended and that house bill No. 348 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, and Smith—7.

So the rules were suspended and house bill No. 348 was read second time by title only.

Mr. Cogswell moved that the rules be further suspended and that house bill No. 348 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—24.

Absent—Messrs. Beckley, Cross, Hirsch, Huston, Smith, and Mr. President—6.

So the rules were suspended and house bill No. 348 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Dodson, Gates, Hayes, Looney, Matlock, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—21.

Nays—None.

Absent—Messrs. Beckley, Butler, Cross, Denny, Hirsch, Huston, Smith, and Mr. President—8.

Not voting—Mr. Maxwell—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Willis moved that the rules be suspended and that house bill No. 166 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, and Smith—7.

So the rules were suspended and house bill No. 166 was read second time by title only.

On motion of Mr. Looney, the bill was referred to the committee on corporations.

Mr. Willis moved that the rules be suspended and that house bill No. 265 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, and Smith—7.

So the rules were suspended, and house bill No. 265 was read second time by title only.

Mr. Cogswell moved that the rules be further suspended and that house bill No. 265 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—24.

Absent—Messrs. Beckley, Cross, Hirsch, Huston, Smith, and Mr. President—6.

So the rules were suspended and house bill No. 265 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—21.

Nays—None.

Absent—Messrs. Beckley, Butler, Cross, Denny, Gates, Hirsch, Huston, Smith, and Mr. President—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Willis moved that the rules be suspended and that house bill No. 139 be read the second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Beckley, Butler, Cross, Gates, Hirsch, Huston, and Smith—7.

So the rules were suspended and house bill No. 139 was read second time by title only.

Mr. Cogswell moved that the rules be further suspended and that house bill No. 139 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—24.

Absent—Messrs. Beckley, Cross, Hirsch, Huston, Smith, and Mr. President—6.

So the rules were suspended and house bill No. 139 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Dodson, Hayes, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Woodard—21.

Nays—None.

Absent—Messrs. Beckley, Butler, Cross, Denny, Gates, Hirsch, Huston, Smith, and Mr. President—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Matlock, the senate adjourned.

O. P. MILLER,  
Chief clerk.

TUESDAY, FEBRUARY 7, 1893.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1893. }

The senate was called to order at 10 o'clock A. M. by the president.

The roll was called, and Messrs. Beckley and Weatherford were absent.

The senate was opened with prayer by Rev. Mr. Kellerman of the M. E. Church.

On motion of Mr. Veatch, the reading of the journal was dispensed with.

On motion of Mr. Veatch the courtesies of the senate were extended to ex-Senator Voorhees, and he was invited to a seat within the bar of the senate.

On motion of Mr. Steiwer, senate bill No. 7 was taken from the table, the same having been read the third time, was placed upon its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Crosno, Cross, Dodson,

Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, and Mr. President—20.

Nays—Messrs. Cameron, Cogswell, Denny, Myers, Veatch, Weatherford, Willis, and Woodard—8.

Absent—Messrs Beckley and Matlock—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 125 coming on for third reading, was read third time.

By unanimous consent, Mr. Willis submitted the following amendment:

#### AMENDMENT.

In section 17, line 10, strike out the word “otherwise” and insert the word “and.”

There being no objection, the chief clerk was instructed to so amend the bill.

The question being, “Shall the bill pass?” the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—28.

Nays—Mr. Weatherford—1.

Absent—Mr. Beckley—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 133 coming on for third reading, was read third time.

The question being, “Shall the bill pass?” the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—None.

Absent—Messrs. Beckley, Butler, Crosno, Denny, and Veatch—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Hayes, the house was requested to return to the senate, senate bill No. 107.

On motion of Mr. Hayes, the vote by which senate bill No. 107 was passed was reconsidered.

Mr. McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 50, 179, 152, 173, 4, 109, 72, and 33, beg leave to report the same back to the senate as correctly engrossed.

HENRY E. MCGINN,  
Chairman.

Senate bill No. 70 coming on for third reading, was read third time.

By unanimous consent, Mr. Willis submitted the following amendment:—

#### AMENDMENT.

In section 7, line 6, insert between the words "as" and "discharge" the article "a."

The chief clerk was instructed to so amend the bill.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Maxwell, McAlister, McGinn, Myers, Steiwer, and Willis—17.

Nays—Messrs. Butler, Denny, Huston, Looney, Matlock, Raley, Smith, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—12.

Absent—Mr. Beckley—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Hayes, the courtesies of the senate were extended to Hon. J. T. Apperson, and he was invited to a seat within the bar of the senate.

Mr. Looney, chairman of the committee on commerce, submitted the following reports:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1893. }

*Mr. President:*

Your committee on commerce, to whom was referred house joint memorial No. 10, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. B. LOONEY,  
Chairman.

On motion of Mr. Huston, the senate concurred in the adoption of the memorial.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1893. }

*Mr. President:*

Your committee on commerce, to whom was referred senate bill No. 201, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, senate bill No. 201 was ordered engrossed and to third reading tomorrow.

On motion of Mr. Cross, the state printer was instructed to return to the senate, senate bill No. 88.

Senate bill No. 113 coming on for third reading, was read third time.

Mr. Bancroft moved that further consideration of senate bill No. 113 be indefinitely postponed.

Mr. Weatherford moved that senate bill No. 113 be laid on the table.

The motion prevailed, and the bill went to the table.

On motion of Mr. Butler, the state printer was instructed to return to the senate, senate bill No. 147.

Senate bill No. 33 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—26.

Nays—Messrs. Cross and Hayes—2.

Absent—Messrs. Beckley and Denny—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has returned herewith senate bill No. 107, as requested by the senate.

D. C. SHERMAN,  
Chief clerk.

Mr. Hirsch moved that the senate do now adjourn.

The motion was lost.

By unanimous consent, senate bill No. 107 was considered as on second reading.

On motion of Mr. Hayes, senate bill No. 107 was referred to the committee on corporations.

Mr. Woodard, chairman of the committee on elections, submitted the following report:—

#### REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 7, 1893. }

*Mr. President:*

Your committee on elections, to whom was referred senate bill No. 89, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. H. WOODARD,  
Chairman.

On motion of Mr. Woodard, senate bill No. 89 was ordered engrossed and to third reading tomorrow.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 185,—a bill for an act to amend section 1764 of the laws of Oregon, as compiled and annotated by W. Lair Hill, relating to larceny in house, boat, or public building.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 94,—a bill for an act to increase the per diem of jurors in certain cases.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 114,—a bill for an act to amend section 2173 of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 7, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 16,—a bill for an act to further simplify proceedings in justices' courts, and to repeal chapter IV. of the justices' code as compiled by Matthew P. Deady and Lafayette Lane, being a part of an act entitled an act to regulate the civil and criminal procedure in justices' courts, and also to repeal section 80 of chapter IX. of the justices' code, as compiled by Matthew P. Deady and Lafayette Lane.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 7, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 65,—a bill for an act to require assignees of insolvent estates to give notice of filing their final accounts.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 7, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 33,—a bill for an act entitled an act to amend an act entitled an act to amend section 1118, title VI., chapter XV. of the code of civil procedure of the state of Oregon, relating to the sale of property by executors and administrators (said section now being section 1150, as compiled and annotated in the codes and general laws of Oregon by William Lair Hill).

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February —, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 135,—a bill for an act entitled an act to regulate criminal proceedings in justices' courts.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 70,—a bill for an act to amend section 57 (56), title V., chapter I. of the code of civil procedure of the state of Oregon, as compiled and annotated by William Lair Hill, relating to the service of summons in civil actions by publication.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 117,—a bill for an act to amend section 3757 of the miscellaneous laws of the state of Oregon, as compiled and annotated by W. Lair Hill, and to provide for a reasonable compensation for the military forces of the state when in actual service of the state in time of war, insurrection, invasion, or imminent danger thereof.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 116,—a bill for an act to amend section 6 of article III. of an act entitled an act for the more efficient organization and discipline of the militia of the state of Oregon, filed in the office of the secretary of state, February 25, 1887.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

By unanimous consent, Mr. Woodard introduced senate joint resolution No. 9.

SENATE JOINT RESOLUTION NO. 9.

Whereas there is a widespread and growing sentiment that the only practical solution of the convict labor problem, on a basis that shall encounter the least opposition from the various trade industries of our state, will be attained by employment of said convicts in building roads and highways throughout our state; and whereas the question of introducing jute mills for employment of convicts is at best experimental, and will be attended with enormous expenditure of public money, and should it be adopted and ultimately found unsatisfactory and inexpedient, we will not only have wasted public funds but be confronted again by the same problem, involving probably another uncertain outlay, each change increasing state burdens without accomplishing permanent relief; and whereas the question of better roads is now engrossing the attention of our own as well as other progressive states in the union; and whereas it is believed that the employment of our convicts in building good roads will better subserve the interests of all portions of our state; therefore be it

*Resolved by the Senate, the House concurring,* That a joint committee of five, consisting of two on the part of the senate and three on the part of the house, be appointed to consider and formulate some plan and draft a bill for an act to the end that a portion or

all of the convicts of our state may be so employed and utilized in building the public roads and highways of the state.

Mr. Woodard moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Butler, Cameron, Cross, Denny, Gates, Maxwell, Raley, Willis, Woodard, and Mr. President—11.

Nays—Messrs. Bancroft, Blackman, Cogswell, Dodson, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, and Weatherford—17.

Absent—Messrs. Beckley and Crosno—2.

So the senate refused to adopt the resolution.

Mr. Cross, chairman of the special committee to whom was referred senate bill No. 158, submitted the following report:—

The president called Mr. Willis to the chair.

Mr. Fulton was excused for the evening.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1893. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 158, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

Chapter III., section 12, line 1, of printed bill, after the word "one," strike out the word "place" and insert in lieu thereof the words "one or more polling places."

#### AMENDMENT.

In section 12, line 2, after the word "each," strike out the word "ward" and insert the words "polling place."

#### AMENDMENT.

In section 13, line 3, of printed bill, after the word "place" insert the words "or places."

#### AMENDMENT.

Section 23, line 3, after the word "by," strike out the word "stat-ing" and insert the word "taking."

## AMENDMENT.

Section 25, at the end of line 14, add the words, "in any event a certificate of nomination shall be made out and signed by at least twenty-five legal voters of the city, and filed with the recorder five days before any regular or special election, to entitle the names of the parties so named to be placed upon the ticket."

## AMENDMENT.

Chapter V., subdivision 31, line 105, after the word "placard," strike out the word "of" and insert the word "or."

## AMENDMENT.

Chapter IX., section 69, line 7, after the word "city" insert the words "except city, county, or state property"; at the end of line 5 add the words "*provided, however, that the assessment of property, the levying a tax, and the collection of the same for the year 1893 shall be done according to the provisions of the city charter of Oregon City, which is superceded by the passage of this act.*"

## AMENDMENT.

Chapter IX., section 62, line 7, after the word "the" strike out the words "date of entry" and add the words, "first day of May next following."

## AMENDMENT.

In chapter XV. strike out all of section 135.

## AMENDMENT.

Chapter XVI., section 140, line 4, after the word "securities" strike out the words "said bonds to be filed with and approved by the city recorder of Oregon City."

H. E. CROSS,  
Chairman.

Mr. Cross moved the adoption of the report.

Mr. Cogswell moved to re-refer senate bill No. 158 to a special committee consisting of the senators from Clackamas county.

Mr. Cross moved to re-refer senate bill No. 158 to the committee on corporations.

The motion prevailed and the bill was so referred.

On motion of Mr. Raley, the senate adjourned.

O. P. MILLER,  
Chief clerk.

## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1893. }

The senate was called to order at 2 o'clock P. M. by the president. The roll was called, and Messrs. Beckley and Butler were absent. Mr. Myers asked that Mr. Beckley be excused on account of illness. The request was granted.

The president stated that at this hour house bill No. 125 was made the special order and the same was now taken up.

Mr. Willis submitted the following amendment:

## AMENDMENT.

Amend the title so as to read as follows: "A bill for an act to amend section 2752 and to repeal sections 2730, 2735, 2736, 2737, 2753, 2754, 2755, 2756, and 2757 of the miscellaneous laws of Oregon as compiled by W. Lair Hill, relating to the assessment of property and the collection of taxes."

## AMENDMENT.

Add to section 1 the following: "The terms 'real property' and 'land' wherever used in the laws of this state shall, for the purpose of assessment and taxation, be held to mean and include not only the land itself, whether laid out in town lots or otherwise, with all things contained therein, but also all buildings, structures, improvements, trees, and other fixtures of whatever kind thereon, and all rights and privileges belonging or in any wise appertaining thereto. All land shall be assessed and taxed in the county in which the same shall lie, and every person shall be assessed in the county where he resides on the first day of March of the year when the assessment shall be made for all real and personal property then owned by him within such county; and unoccupied land, if the owner be unknown, may be assessed as such without inserting the name of any owner."

## AMENDMENT.

Amend section 2 so as to read as follows:

Section 2. That sections numbered 2730, 2735, 2736, 2737, 2753,

2754, 2755, 2756, and 2757 of the miscellaneous laws of Oregon, as compiled by W. Lair Hill, be and the same are hereby repealed.

Mr. Willis moved the adoption of the amendment.

Mr. Weatherford moved that House bill No. 125 be laid on the table.

Messrs. Veatch and Weatherford called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Butler, Cameron, Hirsch, Looney, Myers, Veatch, and Weatherford — 8.

Nays — Messrs. Bancroft, Blackman, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Matlock, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President — 21.

Absent — Mr. Beckley — 1.

The motion to lay house bill No. 125 on the table was lost.

Mr. Vanderburg submitted the following amendment, and moved its adoption:—

#### AMENDMENT.

Section 1, line 13, after the word "allowed," insert, "*Provided, that in the event the party assessed to owe any sum or sums severally equalizing \$50 or more, he shall become the agent of his creditor or creditors for the purpose of paying the taxes on such sum or sums as his creditor or creditors have against him; and upon the payment of the taxes by the party assessed, the tax collector or tax receiver shall give to him a separate receipt for each separate indebtedness, and said creditor, whose agent he becomes for the purpose of paying his taxes, shall credit the amount of such taxes as shown by the tax collector's or tax receiver's receipt, which credit shall be deducted from the amount due or to become due his creditor unless, however, the evidence of indebtedness provides that the taxes shall be paid by the borrower; and be it further provided by this act, that no credit shall be assessed.*"

Mr. Vanderburg moved the adoption of the amendment.

Messrs. Veatch and Vanderburg called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Butler, Cameron, Cogswell, Gates, Hirsch, Looney, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, and Weatherford — 14.

Nays — Messrs. Bancroft, Blackman, Crosno, Cross, Denny, Dodson, Hayes, Huston, Matlock, Maxwell, McGinn, Raley, Willis, Woodard, and Mr. President — 15.

Absent — Mr. Beckley — 1.

The senate refused to adopt the amendment.



The motion to adopt the amendment submitted by Mr. Willis prevailed, and the bill was so amended.

House bill No. 125 as amended coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Blackman, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Matlock, McAlister, McGinn, Raley, Smith, Steiwer, Willis, Woodard, and Mr. President—18.

Nays—Messrs. Alley, Butler, Cameron, Cogswell, Hirsch, Looney, Maxwell, Myers, Veatch, and Weatherford—10.

Absent—Messrs. Beckley and Vanderburg—2.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Bancroft, consideration of house bill No. 233, which was made the special order for 3 o'clock P. M. today, was postponed until 10:15 o'clock A. M. tomorrow.

On motion of Mr. Raley, consideration of senate bill No. 96, which was made the special order for 3:30 o'clock P. M. today, was postponed until 11 o'clock A. M. tomorrow.

On motion of Mr. McGinn, the senate adjourned.

O. P. MILLER,  
Chief clerk.

WEDNESDAY, FEBRUARY 8, 1893.

#### MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

The senate was called to order at 10 o'clock A. M. by the president.

The roll was called, and all the senators were present except Messrs. Hayes, Maxwell, and McGinn.

Mr. Hayes was granted leave of absence for the day.

The senate was opened with prayer by Rev. Mr. Bowersox.

On motion of Mr. Blackman, the reading of the journal was dispensed with.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 102, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 102 passed to third reading.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 87, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

O. N. DENNY,  
Chairman.

On motion of Mr. Baucroft, senate bill No. 87 was ordered engrossed and to third reading tomorrow.

Mr. Alley, chairman of the committee on fisheries, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1893. }

*Mr. President:*

Your committee on fisheries, to whom was referred senate bill No. 206, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

B. F. ALLEY,  
Chairman.

Mr. Alley moved that the rules be suspended and that senate bill No. 206 be considered engrossed and read third time and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Myers, Raley, Smith, Steiwer, Veatch, Weatherford, Willis, Woodard, and Mr. President—24.

Absent—Messrs. Hayes, Maxwell, McAlister, and McGinn—4.

Not voting—Messrs. Cogswell and Vanderburg—2.

So the rules were suspended and senate bill No. 206 was considered engrossed, read a third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Crosno, Cross, Dodson, Gates, Hirsch, Matlock, Maxwell, Smith, Vanderburg, Willis, Woodard, and Mr. President—17.

Nays—Messrs. Beckley, Cogswell, Huston, McAlister, Myers, Raley, and Steiwer—7.

Absent—Messrs. Hayes, Looney, McGinn, and Veatch—4.

Not voting—Messrs. Denny and Weatherford—2.

So the bill passed.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Hirsch, the courtesies of the senate were extended to Hons. William Armstrong and J. W. Haley and to General Compson, and they were invited to seats within the bar of the senate.

Mr. Cross, chairman of the special committee to whom was referred senate No. 207, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1893. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 207, beg leave to report that he has had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

Add section 2 as follows:—

Section 2. The county court of Multnomah county, Oregon, shall procure or cause to be procured, properly attested copies of the records of Clackamas county, Oregon, affecting the title to real estate situated in the territory described in section 1 of this act and have the same recorded in the records of Multnomah county, Oregon, and thereafter such records shall be recognized and become a part of the official records of said Multnomah county, Oregon.

H. E. CROSS,  
Chairman.

On motion of Mr. Cross, the report was adopted.

On motion of Mr. Cross, senate bill No. 207 was ordered engrossed and to third reading tomorrow.

By unanimous consent, senate bill No. 65 was taken from the table.

On motion of Mr. Denny, senate bill No. 65 was referred to the committee on judiciary.

The hour having arrived for the consideration of house bill No. 233, the same was taken up.

House bill No. 233 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Looney, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Willis, Woodard, and Mr. President—23.

Nays—Messrs. Beckley, Huston, Matlock, Vanderburg, Veatch, and Weatherford—6.

Absent—Mr. Hayes—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 7, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 372,—a bill for an act to incorporate the town of Rainier, in the county of Columbia, in the state of Oregon, and to repeal an act entitled "An act to incorporate the town of Rainier, in the county of Columbia, in the state of Oregon," approved

November 25, 1885, and to repeal the act entitled "An act to amend sections 2 and 9 of an act entitled an act to incorporate the town of Rainier, in the county of Columbia, in the state of Oregon," approved February 25, 1889.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 1,—a bill for an act to provide for the employment of convicts in the state penitentiary, to appropriate money for the purchase of machinery for the manufacture of jute fabrics, to create a board of prison directors, empowered to carry out the provisions of this act, and to repeal sections 3862, 3863, 3864, 3865, 3866, 3867, 3868, and 3869 of title I. of chapter LXV. of the miscellaneous laws, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 368,—a bill for an act for a general law for the incorporation of cities and towns of the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

Mr. Myers moved that the rules be suspended and that house bill No. 368 be read first time by title only.

On this question the roll was called and the vote:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron,

Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Hayes and Huston—2.

So the rules were suspended and house bill No. 368 was read first time by title only.

Mr. Myers moved that the rules be further suspended, and that house bill No. 368 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Absent—Mr. Hayes—1.

So the rules were suspended and house bill No. 368 was read second time by title only.

On motion of Mr. Myers, the bill was referred to the committee on judiciary.

On motion of Mr. Weatherford, the state printer was requested to return to the senate senate bill No. 183.

On motion of Mr. Beckley, the state printer was requested to return to the senate senate bill No. 160.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 39,—a bill for an act relating to pilotage at the Columbia river bar and on the Columbia and Willamette rivers, and amending an act entitled "An act to amend title I., of chapter LXVI., of Hill's annotated laws of Oregon, relating to pilotage at the Columbia river bar and on the Columbia and Willamette rivers," filed in the office of the secretary of state, February 18, 1889.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 284,—a bill for an act to amend section 109 of chapter IX. of an act entitled an act to amend an act to incorporate the town of Brownsville, in Linn county, state of Oregon, and to repeal all acts in conflict therewith, filed in the office of secretary of state, February 21, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate's amendments to house bill No. 125.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate's amendments to house bills Nos. 49, 348, and 87.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate's amendments to house bill No. 18.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 8, 1893. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 113,—a bill for an act to define a sack of flour and to regulate the sale thereof.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 8, 1893. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 40,—a bill for an act to incorporate the town of Sheridan, filed in the office of the secretary of state February 18, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 7, 1893. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 150,—a bill for an act to amend sections 4005, 4006, and 4007, as amended by an act entitled "An act to amend an act entitled 'An act to create and establish a board of railroad commissioners, and define and regulate its powers and define its duties, and to fix the compensation of its members,'" approved February 18, 1887, the same being chapter LXXIII. of the general laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.



Mr. Cameron, chairman of the committee on corporations, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 158, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

AMENDMENT.

Chapter III., section 12, line 1 of printed bill, after the word "one," strike out the word "place" and insert the words "one or more polling places"; in section 12, line 2, after the word "each," strike out the word "ward" and insert the words "polling place"; in section 13, line 3 of printed bill, after the "place" insert the words "or places."

AMENDMENT.

Section 23, line 3, after the word "by," strike out the word "stating" and insert the word "taking."

AMENDMENT.

Section 25, at the end of line 14, add the words, "in any event a certificate of nomination shall be made out and signed by at least twenty-five legal voters of the city, and filed with the recorder five days before any regular or special election, to entitle the names of the parties so named to be placed upon the ticket."

AMENDMENT.

Chapter V., subdivision 31, line 105, after the word "placard," strike out the word "of" and insert the word "or."

AMENDMENT.

Chapter IX., section 49, line 4, after the word "city," insert the words "except city, county, or state property"; at the end of line 5 add the words, "*provided, however,* that the assessment of property,

the levying of tax, and the collection of the same for the year 1893 shall be done according to the provisions of the city charter of Oregon City, which is superseded by the passage of this act."

AMENDMENT.

Chapter IX., section 42, line 7, after the word "the" strike out the words "date of entry" and add the words "first day of May next following."

AMENDMENT.

Chapter XV., strike out all of sections 134 and 135.

AMENDMENT.

Chapter XVI., section 140, line 4, after the word "securities" strike out the words "said bonds to be filed with and approved by the city recorder of Oregon City."

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, the report was adopted.

Mr. Cross moved that the rules be suspended and that senate bill No. 158 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—24.

Nays—Mr. McGinn—1.

Absent—Messrs. Dodson, Gates, Hayes, Raley, and Weatherford—5.

So the rules were suspended and senate bill No. 158 was considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hirsch, Looney, Matlock, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—None.

Absent—Messrs. Beckley, Gates, Hayes, Huston, and Maxwell—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Alley, the courtesies of the senate were extended to Hon. A. C. Woodcock, and he was invited to a seat with the bar of the senate.

Mr. Cameron, chairman of the committee on corporations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 147, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

T. CAMERON,  
Chairman.

Mr. Butler moved that the rules be suspended and that senate bill No. 147 be considered engrossed and read third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Hayes and McAlister—2.

So the rules were suspended and senate bill No. 147 was considered engrossed, read third time, and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley,

Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Nays—None.

Absent—Mr. Hayes—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill 86, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

#### AMENDMENT.

In section 6, line 7 of printed bill, after the last word "provided" insert the following words: "*provided, however, that it shall be lawful to shoot ducks and geese in or upon grain fields at any time to prevent the destruction of grain or growing crops.*"

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

By unanimous consent, the chief clerk inserted the amendment.

Mr. Denny moved that the rules be suspended and that senate bill No. 86 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Looney, Matlock, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—Mr. Huston—1.

Absent—Messrs. Hayes and Maxwell—2.

So the rules were suspended and senate bill No. 87 was considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Butler, Cameron, Cross, Denny, Dodson, Gates, Hirsch, Looney, McAlister, Myers, Smith, Steiwer, Willis, Woodard, and Mr. President—17.

Nays—Messrs. Crosno, Huston, Matlock, Maxwell, McGinn, Raley, Vanderburg, Veatch, and Weatherford—9.

Absent—Messrs. Blackman, Cogswell, and Hayes—3.

Not voting—Mr. Beckley—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The hour having arrived for the consideration of senate bill No. 96, the same was read third time.

By unanimous consent, Mr. Raley submitted the following amendment:—

#### AMENDMENT.

In section 1, line 3, strike out the words "October 26, 1885," and insert in lieu thereof "February 26, 1885."

There being no objection, the chief clerk was instructed to so amend the bill.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Dodson, Hirsch, Huston, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Woodard, and Mr. President—22.

Nays—Messrs. Beckley, Cross, Denny, Gates, Looney, Veatch, and Willis—7.

Absent—Mr. Hayes—1.

So the bill passed.

Mr. Raley moved that the title be amended as follows:—

#### AMENDMENT.

Amend the title of senate bill No. 96, so that it may read as follows: "A bill for an act to amend an act entitled an act providing for the establishment of state normal schools in Oregon, approved October 26, 1882; also an act entitled an act to amend an act entitled an act providing for the establishment of state normal schools in Oregon, approved February 26, 1885."

On motion of Mr. Raley, the amendment was adopted, and the title of the bill as amended was ordered to stand as the title of the act.

Mr. Cameron, chairman of the committee on corporations, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 183, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

T. CAMERON,  
Chairman.

Mr. Weatherford moved that the rules be suspended and that senate bill No. 183 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—26.

Nays—Mr. Denny—1.

Absent—Messrs. Dodson, Hayes, and Raley—3.

So the rules were suspended and senate bill No. 183 was considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Nays—None.

Absent—Messrs. Hayes and Raley—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

By unanimous consent, senate bill No. 197 was read second time. On motion of Mr. Huston, the bill was referred to the committee on assessments.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 23, 119, 125, 187, and 265, and house joint memorial No. 10.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bills Nos. 23, 119, 125, 187, and 265, and house joint memorial No. 10, and soon thereafter announced that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 285,—a bill for an act entitled an act to protect timber and other property from fire.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

By unanimous consent, senate bill No. 193 was read second time. On motion of Mr. Smith, the bill was referred to the committee on agriculture, with leave to report at any time.

By unanimous consent, senate bill No. 190 was read second time.

Mr. Cross moved that the rules be suspended and that senate bill No. 190 be considered engrossed, read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hirsch, Huston, Looney, Matlock,

McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Absent—Messrs. Hayes, Maxwell, and McGinn—3.

Not voting—Messrs. Butler and Denny—2.

So the rules were suspended and senate bill No. 190 was considered engrossed, read third time, and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—26.

Nays—None.

Absent—Messrs. Crosno, Hayes, Maxwell, and McGinn—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Cameron, chairman of the committee on corporations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred house bill No. 166, beg leave to report that they have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

T. CAMERON,  
Chairman.

House bill No. 166 was passed to a third reading.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 233, which has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.



The president stated that he was about to sign house bill No. 233, and soon thereafter announced that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 134,—a bill for an act to amend sections 3445, 3446, 3448, and to repeal section 3449 of the laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

By unanimous consent, senate bill No. 199 was read second time.

On motion of Mr. Gates, the bill was referred to the committee on claims.

By unanimous consent, senate bill No. 196 was read second time.

On motion of Mr. Weatherford, the bill was referred to the committee on commerce.

By unanimous consent, senate bill No. 168 was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on federal relations.

By unanimous consent, senate bill No. 180 was read second time.

Mr. Vanderburg moved to refer the bill to the committee on commerce.

Mr. Cogswell moved to amend by referring to the committee on railroads.

The motion to amend prevailed.

The motion as amended was adopted, and the bill was so referred.

By unanimous consent, senate bill No. 192 was read second time.

On motion of Mr. Matlock, the bill was referred to the committee on ways and means.

Senate bill No. 221. Mr. Myers. (By unanimous consent.) A bill for an act to repeal an act entitled "An act to provide a state board of equalization and prescribe the manner of its creation and its powers and duties," filed in the office of the secretary of state February 21, 1891.

Senate bill No. 221 was read first time.

Mr. Myers moved that the rules be suspended and that senate bill No. 221 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Veatch, Weatherford, Willis, and Woodard—24.

Nays—Mr. President—1.

Absent—Messrs. Crosno, Hayes, Matlock, McGinn, and Vanderburg—5.

So the rules were suspended and senate bill No. 221 was read second time by title only.

On motion of Mr. Myers, the bill was referred to the committee on assessments.

Mr. Myers moved that the rules be suspended and that senate bill No. 221 be not printed.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cross, Gates, Hirsch, Huston, Looney, Matlock, McAlister, McGinn, Myers, Veatch, and Weatherford—16.

Nays—Messrs. Cogswell, Dodson, Maxwell, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—10.

Absent—Messrs. Crosno and Hayes—2.

Not voting—Messrs. Alley and Denny—2.

So the senate refused to suspend the rules.

On motion of Mr. Veatch, the senate adjourned.

O. P. MILLER,  
Chief clerk.

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## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

The senate was called to order at 2 o'clock P. M. by the president.

The roll was called, and Messrs. Butler, Cross, and Hayes were absent.

Mr. Hayes was excused on account of illness.

Mr. Denny, chairman of the committee on judiciary, asked leave of absence for the committee, and the same was granted.

Mr. McGinn was granted leave of absence for the afternoon.

By unanimous consent, all senate bills on second reading were taken up in order and read.

Senate bill No. 167 coming on for second reading, was read second time.

On motion of Mr. Woodard, the bill was referred to the committee on assessments.

Senate bill No. 185 coming on for second reading, was read second time.

On motion of Mr. Willis, the bill was referred to the committee on assessments.

Senate bill No. 88 coming on for second reading, was read second time.

On motion of Mr. Cogswell, the bill was referred to the committee on corporations.

Senate bill No. 160 coming on for second reading, was read second time.

Mr. Beckley moved that the rules be suspended and that senate bill No. 160 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called, and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Dodson, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—22.

Nays—None.

Absent—Messrs. Butler, Cross, Denny, Gates, Hayes, Hirsch, McGinn, and Weatherford—8.

So the rules were suspended and senate bill No. 160 was considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were;

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Dodson, Gates, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—23.

Nays—None.

Absent—Messrs. Butler, Cross, Denny, Hayes, Hirsch, McGinn, and Weatherford—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Bancroft, senate bill No. 84 was taken from the table.

On motion of Mr. Bancroft, the bill was referred to the committee on railroads.

Mr. McGinn, chairman of the committee on claims, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President :*

Your committee on claims, to whom was referred senate bill No. 114, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with no recommendation.

H. E. MCGINN,  
Chairman.

On motion of Mr. Myers, senate bill No. 114 was ordered engrossed and to third reading tomorrow.

Mr. McGinn, chairman of the committee on railroads, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President :*

Your committee on railroads, to whom was referred senate bill No. 199, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

H. E. MCGINN,  
Chairman.

On motion of Mr. Myers, senate bill No. 199 was ordered engrossed and to third reading tomorrow.

Mr. Cogswell, chairman of the committee on federal relations, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1893. }

*Mr. President :*

Your committee on federal relations, to whom was referred senate bill No. 168, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

On page 2, section 3, line 3 of printed bill, strike out the word "and" and insert the word "or" in lieu thereof.

C. A. COGSWELL,  
Chairman.

On motion of Mr. Cogswell, the report was adopted.

On motion of Mr. Cogswell, senate bill No. 168 was ordered engrossed and to third reading tomorrow.

Senate bill No. 174 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on claims.

Senate bill No. 175 coming on for second reading, was read second time.

On motion of Mr. Alley, the bill was referred to the committee on judiciary.

Senate bill No. 181 coming on for second reading, was read second time.

On motion of Mr. Huston, the bill was referred to the committee on agriculture.

Senate bill No. 186 coming on for second reading, was read second time.

On motion of Mr. Vanderburg, the bill was referred to the committee on judiciary.

Senate bill No. 189 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on fishing industries.

Senate bill No. 191 coming on for second reading, was read second time.

Mr. Raley moved that the rules be suspended and that senate bill No. 191 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Dodson, Gates, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Butler, Cross, Denny, Hayes, Maxwell, McGinn, Veatch, and Weatherford—8.

So the rules were suspended, and senate bill No. 191 was considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Dodson, Gates, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Messrs. Butler, Cross, Denny, Hayes, Maxwell, McGinn, Veatch, Weatherford, and Willis—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 194 coming on for second reading, was read second time.

On motion of Mr. Willis, the bill was referred to the committee on assessments.

Senate bill No. 195 coming on for second reading, was read second time.

On motion of Mr. Maxwell, the bill was referred to the committee on commerce.

Senate bill No. 198 coming on for second reading, was read second time.

On motion of Mr. Maxwell, the bill was referred to the committee on claims.

Senate bill No. 200 coming on for second reading, was read second time.

On motion of Mr. Willis, the bill was referred to the committee on assessments.

House bill No. 210 coming on for second reading, was read second time.

On motion of Mr. Willis, the bill was referred to the committee on judiciary.

The following communication from the secretary of state was read:—

#### COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE, }  
SALEM, Oregon, }  
February 8, 1893. }

*To the Legislative Assembly of the State of Oregon*—GENTLEMEN: I beg leave to ask the attention of your honorable body to the claim of the state of Oregon for reimbursement of moneys expended in the suppression of the war of the rebellion, the principal of which

claim, as approved by the board of war claims examiners, amounts, without interest, to the sum of \$224,526.53. Senator Dolph has recently introduced an amendment to the sundry civil appropriation bill for the payment of this claim, together with similar claims of the states of California and Nevada. A tabular statement prepared by the treasury department of the United States, containing the name of every state loyal to the union during the rebellion, excepting the states of California, Oregon, and Nevada, shows that the United States has reimbursed said loyal states sums of money expended on account of the war of the rebellion aggregating (up to March 15, 1892,) the sum of \$44,725,072.38. Justice and equity demand that the states of California, Oregon, and Nevada be also reimbursed for such expenses, which have been fully proven after most rigid examination by the board of war claims examiners. As congress will take early action on Senator Dolph's amendment, I deem it my duty now to present this matter for such action as the legislative assembly shall deem expedient and just.

I have the honor to be, very respectfully,

Your obedient servant,

GEO. W. McBRIDE,  
Secretary of State.

By unanimous consent, Mr. Hirsch introduced senate joint memorial No. 1.

#### SENATE JOINT MEMORIAL NO. 1.

*To the Congress of the United States :* Whereas the state of Oregon has heretofore paid a large sum of money to aid the United States in maintaining the common defense in the suppression of the war of the rebellion, the amount of which has been shown by the reports of the honorable secretary of war made to congress; and whereas said debt has not yet been paid but is long since due; and whereas Hon. J. N. Dolph has introduced in the senate of the United States an amendment to be proposed to the sundry civil appropriation bill making an appropriation to pay said claim, together with similar claims of the states of California and Nevada; and whereas the United States has reimbursed other states of the union for sums of money expended on account of the war of the rebellion, such payments aggregating, up to March 15, 1892, the sum of \$44,725,072.38, but has not paid any sum whatever on said accounts to the said states of California, Oregon, and Nevada; therefore be it

*Resolved by the Legislative Assembly of the State of Oregon,* That justice and equity demand that the payment of said claims should be no longer delayed by the United States, and that an appropriation of money therefor should be made by congress at this time; and be it further

*Resolved*, That this memorial be telegraphed by the secretary of state to our senators and representatives in congress, and that written copies thereof, duly certified, shall be forwarded to the presiding officers of the senate and of the house of representatives of the United States.

On motion of Mr. Hirsch, the memorial was adopted.

Mr. Crosno, chairman of the committee on education, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 203, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

#### AMENDMENT.

After the word "interest" in line 5 of section 2 of printed bill strike out the word "which" and insert instead the following: "and said bonds shall not be sold for less than par value."

C. B. CROSNO,  
Chairman.

On motion of Mr. Crosno, the report was adopted.

On motion of Mr. Crosno, senate bill No. 203 was ordered engrossed and to third reading tomorrow.

Mr. Blackman moved that when the senate adjourn, it be to meet at 7 o'clock P. M. this evening.

The motion prevailed.

Mr. Cogswell moved that the rules be suspended and that house bills on first reading be made the special order for this evening.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—24.

Nays—Messrs. Huston and Looney—2.

Absent—Messrs. Butler, Denny, McGinn, and Weatherford—4.

So the rules were suspended, and house bills on first reading were made the special order for this evening.



Mr. Willis, chairman of the committee on assessments, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on assessments, to whom was referred senate bill No. 197, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass with the following amendment:—

AMENDMENT.

In section 7, line 3, of the printed bill, between the words "them" and "taking," insert the words "the amounts thereof to which they are respectively entitled."

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, the report was adopted.

Mr. Willis moved that senate bill No. 197 be ordered engrossed, that the rules be suspended, and that senate bill No. 197 be made special order for 2 o'clock P. M. tomorrow.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—25.

Absent—Messrs. Butler, Denny, Hayes, McGinn, and Weatherford—5.

So the rules were suspended and senate bill No. 197 was ordered engrossed and made a special order for 2 o'clock P. M. tomorrow.

Mr. Woodard, chairman of the committee of elections, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 134, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

AMENDMENT.

Amend the title of said bill by striking out the words "Sections 49 and 59 of" in the first line of said title so that it will read "A bill for an act to amend an act entitled, etc," and by adding at the end of the title of said bill the following words, "and to appropriate money to carry out the provisions of said act."

AMENDMENT.

Amend section 1 of said bill by striking out all from the beginning of line 1 thereof to the end of the section, and inserting in lieu of the same what is reported herewith as section 1.

AMENDMENT.

Amend section 2 of said bill by striking out all from the beginning of line 1 thereof to the end of the section, and inserting in lieu of the same what is reported herewith as section 2.

AMENDMENT.

Amend said bill by adding thereto as additional sections what are reported herewith as sections 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12.

AMENDMENT.

Section 1. That section 49 of said act be and it hereby is amended so as to read as follows:

Sec. 49. The ballot shall be styled "Official Ballot"; shall state the number or name of the precinct and county they are intended for, and the date when the election is to be held; shall contain the names of all the candidates for offices to be filled at that election whose nominations have been duly made and accepted as herein provided, and who have not died or withdrawn, and shall contain no other names of persons, except that in the case of electors of president and vice-president of the United States, the names of the candidates for president and vice-president may be added to the party or political designation; the name of each person nominated shall be printed upon the ballot in but one place, but there shall be added opposite thereto the party or political designation, expressed in not more than three words for any one party, as specified in each of the

certificates of nomination nominating him for the office, and which he has accepted. The names of the candidates for each office shall be arranged under the designation of the office, in alphabetical order, according to surnames, except that the names of candidates for the offices of electors of president and vice-president shall be arranged in groups, as presented in the several certificates of nomination. There shall be left at the end of the list of candidates for each different office blank spaces in which the elector may write in the name of any person not printed on the ballot, for whom he desires to vote as candidate for such office. On the left margin of the ballots the name of the uppermost candidate as printed shall be numbered 12, the next candidate 13, the next 14, and so on consecutively to the end of the ballot. The blank lines shall not be numbered. Whenever the approval of a constitutional amendment or other question is submitted to the vote of the people, such questions shall be printed upon the ballot after the list of candidates, and each answer shall be numbered on the left margin as in the case of the names of candidates. Each ballot shall have along the top thereof a stub one and a half inches wide, perforated along the lower edge thereof. On the left half of the stub shall be printed the words, "Stub to be torn off by the chairman," and on the right half, "Stub to be torn off by the first clerk." The colored or sample ballots need not be perforated. Immediately below the perforated line shall be printed in capitals these words, "Official ballot for — precinct, — county, June —, 189—." Under this caption shall be printed in bold-faced type the words, "Stamp or mark a cross X" in the square to the left of each candidate voted for. Below this shall be printed in the manner aforesaid:—

1. The candidates for state offices;
2. For district and county offices;
3. For precinct offices;
4. For other offices or constitutional amendments or questions submitted to a vote of the people.

The ballots shall be printed so as to give each elector a clear opportunity to designate his choice of candidates and his answers to the questions submitted by stamping or marking a cross thus, X, in the square immediately to the left of the name of the candidate he wishes to vote for, for each office, or to the left of the answer he wishes to make to each question submitted. And on the ballot may be printed such words as will aid the elector to do this, as "vote for one," "vote for three," "yes," "no," and the like. The ballot shall be of sufficient length and width to permit this to be properly done. The white ballots shall be arranged and printed substantially in the following form:—

## AMENDMENT.

Section 2. That section 59 of said act shall be and it hereby is amended so as to read as follows:

Sec. 59. On receipt of his white ballot as aforesaid, the elector shall forthwith, and without leaving the enclosed space, retire alone to one of the compartments or places provided, and shall there prepare his ballot by stamping or marking a cross X in the square immediately to the left of the name of the candidate of his choice for each office to be filled, or by writing in the name of the person he wishes to vote for; and in the case of a constitutional amendment or other question submitted to the vote of the people, by stamping or marking a cross X in the square immediately to the left of the answer he desires to make, which shall be done with an X stamp furnished for the purpose, or with an indelible "copying" pencil, or with pen and ink. Before leaving the compartment or place provided, the elector shall fold his ballot so that the face thereof will be concealed, without displaying the ballot or informing any person how he has prepared it; and he shall fold the ballot so that the remaining stub may be readily torn off without exposing the contents of the ballot or the marks or crosses thereon. He shall then deliver the ballot to the chairman and state his name and residence.

## AMENDMENT.

Section 3. That section 4 of said said act be and it hereby is amended so as to read as follows:

Sec. 4. Immediately after the order appointing the said judge and clerks, and at least thirty days before any general election, and at least twenty days before any special election, the county clerk shall send by mail, duly registered, a notice of the appointment of each of said judges and clerks in his county, and two election notices to be posted by each of said judges and clerks in the vicinity of the polling places in their election precinct.

Said notice of appointment and election notice shall be substantially in the following form:—

## NOTICE OF APPOINTMENT.

To ———, of ———, of ——— county, Oregon:

You are hereby notified that you were appointed (chairman, judge, or clerk as the case may be) of election in ——— election precinct, county of ———, state of Oregon, to hold office for two years from the ——— day of ———, 189—, by an order of the county court of said county made and entered on the ——— day of ———, 189—.

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you accept said appointment you will sign your name upon the printed acceptance below this notice and detach the same and forthwith return the acceptance to this office by mail, you will also forthwith post the two election notices enclosed herewith in public places in the vicinity of the polling places mentioned in the notice of election. If you accept this appointment and negligently fail to serve or perform the duties of said office, you will be liable to punishment as in the case of jurors who fail to attend.

Witness my hand and the seal of said court this — day of —, 189—.

(Seal.)

Clerk of the county court of the state of Oregon for the county of —.

-----Perforated line-----

#### ACCEPTANCE.

(To be signed by the appointee and returned to the clerk of the court by mail.)

I hereby accept the office of — of election for the precinct of —, county of —, state of Oregon, and hereby agree to perform the duties of said office for two years from the — day of —, 189—.

(Signature of appointee.)

Said notice of appointment shall be evidence of the authority of the person appointed to act as such officer. Any judge or clerk of election appointed as aforesaid who fails to serve or perform his duties after having accepted his appointment, shall be deemed guilty of contempt of said court, and shall be liable to punishment in the same manner as in the case of jurors who fail to attend after being duly summoned, and it shall be the duty of the court to enforce this provision. The clerk shall inclose a stamped and addressed envelope for the appointee to return his acceptance, and if the acceptance is not received by the clerk within ten days after mailing said notice the appointee shall be deemed to have declined the office, and it shall be the duty of the court to forthwith appoint some other person, who shall be notified as in the first instance, until the office is filled. Whenever any vacancy occurs in the office of judge or clerk of election it shall be the duty of the court to fill the vacancy in the manner aforesaid.

#### AMENDMENT.

Section 4. That section 23 of said act be and it hereby is amended so as to read as follows:

Sec. 23. After the polls open, the ballot-boxes and the ballots shall not be removed from the polling place until the count is com-

pleted and the returns signed and sealed, unless the polling place is unsuitable for conducting the count in. In such case, the judges shall make public proclamation and post a notice stating the place to which adjournment is made, and may then adjourn, in company with the clerks, to some suitable public place near by, and all persons who are entitled to be present during the count shall be at liberty to accompany the officers and ballot-boxes and ballots and be present until the count is completed and the returns signed and sealed. Within one hour after the poll-books are signed in the manner prescribed in section 22, the count shall begin. In counting the ballots, the judges shall sit with their backs immediately against the inside of the guard-rail provided in accordance with section 56; and in case of adjournment to some other place as above, the judges shall erect a guard-rail and arrange themselves in substantially the same position, in such manner that persons authorized to be present during the counting of the votes as provided in section 18 may be able to read the ballot and see that the chairman reads the same aloud correctly. The clerks shall, whenever five votes have been tallied for a candidate, orally announce the fact, and the same whenever five additional votes are tallied for a candidate, so that said persons may also know that said clerks are tallying correctly and in accordance with the direction of the judges. The chairman only shall take the ballots out of the ballot-box, and he shall take out of the box only one ballot at a time, and he shall then immediately unfold it and read aloud and announce distinctly, while the ballot is held up in his hand for the inspection of the other judges and persons present,—first, the number corresponding with the names and then the name of the candidate for whom the ballot is to count for each office; second, the name of each person whose name has been written in the ballot for each office for which the ballot is to count; third, the answer, if any, to any question submitted. The chairman shall then sign his initials on the back of the ballot and deliver the ballot to the second judge, who shall examine it and sign his initials on the back of the ballot and then pass the ballot to the third judge, who shall also examine it and immediately paste it, face down, into the file book provided by section 68; and as soon as the ballot is filed the third judge shall sign his initials across the back of the ballot, and shall also number the ballot upon the back near the bottom consecutively as filed, commencing with No. 1. All the judges in signing their initials and said third judge in numbering said ballots shall use either pen and ink or indelible copying pencils.



## AMENDMENT.

Section 5. That section 25 of said act shall be and it hereby is amended so as to read as follows:

Section 25. Immediately after canvassing the votes in the manner aforesaid, the judges, before they separate or adjourn, shall enclose the poll-books in separate covers and securely seal the same. They shall also enclose the tally-sheets in separate envelopes and seal the same securely. They shall also enclose all the ballots filed as aforesaid in an envelope or wrapper and seal the same securely. And they shall, in writing, with pen and ink, specify the contents and address each of said packages upon the outside thereof to the county clerk of the county in which the election precinct is situated.

## AMENDMENT.

Section 6. That section 38 of said act be and it hereby is amended so as to read as follows:

Sec. 38. All certificates of nomination of candidates for offices to be filled by the electors of a county or precinct, or electoral district other than a congressional district, shall be filed with the county clerk of the county; and if such electoral district embraces more than one county, then a duplicate thereof shall be filed with the county clerk of each county within such electoral district. If such certificate of nomination be made by a convention or assembly, it shall be filed with such county clerk or clerks not more than one hundred (100) days and not less than thirty (30) days before the day fixed by law for the election. If such certificate of nomination be made by individual electors, it shall be filed with such county clerk or clerks not more than one hundred (100) days and not less than fifteen (15) days before the day fixed by law for the election.

## AMENDMENT.

Section 7. That section 54 of said act be and it hereby is amended so as to read as follows:

Sec. 54. A sufficient time, and not less than five days before the opening of the polls at any election provided for in this act, the county clerk of each county in which the election is to be held shall deliver to the sheriff of the county for use at each polling place in the county,—

1. The proper number of ballots required for each polling place, prepared and printed as provided in this act.
2. The two ballot-boxes required by this act.
3. Two poll-books required by this act.

4. One copy of the election laws of this state required by this act.
5. A sufficient number of tally-sheets required by this act.
6. A sufficient quantity of pens, ink, blotting-pads, stamps, and ink pads for marking a cross (X), indelible copying pencils, file books, and mucilage for filing ballots, sealing wax, envelopes, and the like necessary or convenient [articles] for carrying out the provisions of this act. The white ballots so furnished shall be in a package by themselves, and the package shall be marked on the outside "white ballots," with the number contained in the package, and the package shall be addressed to the judges of the polling places for which it is intended, and the package shall be certified by the clerk and sealed under the seal of the county court of the county. The colored or sample ballots shall likewise be in a separate package by themselves, and the package shall be marked on the outside "colored or sample ballots," with the number contained in the package, certified, addressed, and sealed. The poll-books, tally-sheets, and copy of election laws shall likewise be done up in a package, addressed, and sealed. The other articles shall likewise be addressed. The county clerk shall keep a record of the addresses thereon, the contents of the packages, and the number thereof.

#### AMENDMENT.

Section 8. That section 56 of said act be and it hereby is amended so as to read as follows:

Sec. 56. Under the direction and control of the county court, the chairman of each precinct election board, or the sheriff, or some other person appointed by the court a sufficient time before every election provided for in this act, shall secure the use of and take possession of the places designated by the county court as the polling places in the several precincts in the county; he shall cause the same to be suitably provided with a guard-rail, so constructed and placed that only such persons as are inside said rail can approach within six feet of the ballot-boxes or within ten feet of the compartments, shelves, or tables at which electors are to prepare their ballots for voting. He shall furnish in the manner directed by such county court a sufficient number of such compartments, shelves, or tables in or at which electors may conveniently prepare their ballots for voting, so that in the preparation thereof each elector may be screened from the observation of other persons. The arrangement shall be such that neither the ballot-boxes or the compartments, shelves, or tables, or the electors while preparing their ballots, shall be hidden from view of those just outside the said guard-rail, or from the judges; and yet the same shall be far

enough removed and so arranged that the elector may conveniently prepare his ballot for voting with absolute secrecy. There shall be provided in each polling place not less than one such compartment, shelf, or table for every forty electors to vote at such polling place, and every polling place shall have at least three of such compartments, shelves, or tables.

AMENDMENT.

Section 9. That section 58 of said act shall be and it hereby is amended so as to read as follows:

Sec. 58. Any person desiring to vote shall give his name and his residence to the first of the election clerks,—which clerk shall not be of the same political party as the chairman,—who shall thereupon announce the name and residence distinctly, and write in the poll-book kept by him the name and residence of the elector and the word “state,” or “state and district,” if he is qualified to vote for such officers only. The clerk shall then with pen and ink write the number of the elector upon the back of each of the two stubs upon said ballot; he shall so number the stubs upon each ballot to correspond with the number of the elector in the poll-book, beginning with No. 1 for the first elector applying to vote, No. 2 for the second elector, and so on, and he shall then tear off the stub which has printed upon it, “To be torn off by the first clerk.” The clerk shall then deliver the ballot, with the remaining stub still attached thereto, to the elector. The said clerk shall give the elector one of said white ballots, and one only. The clerk shall then, at once and before issuing another ballot, deliver the stub torn off to the judges, who shall pass it to the second clerk, who shall immediately enter the number in the poll-book, and the name and residence of the elector opposite thereto, and shall retain the stub in his possession.

AMENDMENT.

Section 10. That section 64 of said act shall be and it is hereby repealed.

Section 11. That section 68 of said act be and it hereby is amended so as to read as follows:

Sec. 68. It shall be the duty of the secretary of state, not less than six months before every biennial election in this state, to compile the election laws of the state and index the same, and cause the same to be printed in suitable pamphlet form, for the use of the judges of election; also suitable poll-books, required by and in accordance with section 22 of this act; also tally-sheets, required by and in accordance with section 24 of this act; also “Register of

Nominations" books, required by section 39 of this act; also receipts, required by and in accordance with section 55 of this act; also notices of appointment of judges and clerks of election, and acceptances and notices of election, as required by section 4 of said act; also suitable file books and mucilage for filing the ballots, as required by section 23 of said act; also indelible "copying" pencils, pens and holders and ink and stamps, and ink pads suitable for making or stamping a cross, thus X, in marking the ballots, as required by section 59 of said act; also suitable envelopes, large and small, for receiving the returns and ballots, as required by section 25 of said act, and such other similar supplies as are necessary to carry out the provisions of said act, and he shall forthwith proceed and distribute the same to the several county clerks in the state in appropriate quantities. The secretary of state is hereby authorized to audit the bills for said supplies, and to draw warrants upon the general fund of the treasury therefor, and there is hereby appropriated whatever amount is necessary to pay the same.

#### AMENDMENT.

Section 12. That section 70 of said act be and it hereby is amended so as to read as follows:

Sec. 70. Any judge or clerk of election, or county clerk, or other public officer upon whom a duty is imposed by this act, who shall wilfully disregard any of the provisions of this act, or who shall negligently fail to perform any duty imposed upon him by this act, or fail to enforce any of the provisions of this act, or who shall, in the counting of the ballots or making the returns thereof, wilfully disregard any of the directions or requirements of this act; or any person who shall wilfully or fraudulently alter or destroy any white ballot cast at any election, or any of the returns of any election regulated by this act, or who shall introduce among the genuine ballots a fraudulent ballot; or any person who shall falsely write the initials of the chairman, or any writing upon the ballot or ballot stub purporting to be written by the clerk or chairman; or any person who shall steal any of the ballots or returns, or wilfully or fraudulently hinder or delay the delivery of any of the election returns to the county clerk, or wilfully break open any of such sealed returns of any election regulated by this act, upon conviction shall be punished by imprisonment in the penitentiary not less than one year nor more than three years, or by fine not less than \$500 nor more than \$2,000, or both such fine and imprisonment.

C. H. WOODARD,  
Chairman.

On motion of Mr. Woodard, the report was adopted.

On motion of Mr. Huston, senate bill No. 134 was ordered engrossed and to third reading tomorrow.

On motion of Mr. Matlock, the courtesies of the senate were extended to ex-Senators Carson and McCay, and they were invited to seats within the bar of the senate.

Mr. Steiwer, chairman of the committee on public lands, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on public lands, to whom was referred senate bill No. 97, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

W. W. STEIWER,  
Chairman.

On motion of Mr. Cogswell, senate bill No. 97 was indefinitely postponed.

Mr. Looney, chairman of the committee on commerce, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on commerce, to whom was referred senate bill No. 202, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

#### AMENDMENT.

In section 1, line 16, original bill, after the word "exceeding," strike out the word "three" and insert "five"; in section 1, lines 23 and 24, after the word "exceed" strike out the words "two dollars" and insert the words "three dollars and twenty-five cents."

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, the report was adopted.

On motion of Mr. Looney, senate bill No. 202 was ordered engrossed and to third reading tomorrow.

Senate bill No. 159 coming on for third reading, was read third time.

By unanimous consent, Mr. Willis submitted the following amendment:—

#### AMENDMENT.

In section 1, line 7, strike out the word "giving."

There being no objection, the chief clerk was ordered to amend the bill.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Vanderburg, Willis, Woodard, and Mr. President—22.

Nays—Mr. Veatch—1.

Absent—Messrs. Butler, Denny, Hayes, McGinn, Steiwer, and Weatherford—6.

Not voting—Mr. Alley—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Vanderburg, chairman of the committee on agriculture, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on agriculture, to whom was referred senate bill No. 193, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. S. VANDERBURG,  
Chairman.

Mr. Smith moved that the rules be suspended and that senate bill No. 193 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Vanderburg, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Butler, Denny, Hayes, McGinn, Steiwer, Veatch, and Weatherford—7.

So the rules were suspended and senate bill No. 193 was considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—Messrs. Veatch and Willis—2.

Absent—Messrs. Butler, Denny, Hayes, Maxwell, McGinn, and Weatherford—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Hirsch, the vote by which further consideration of senate bill No. 97 was indefinitely postponed was reconsidered.

The motion now recurring on the motion to indefinitely postpone, was lost.

On motion of Mr. Hirsch, senate bill No. 97 was ordered engrossed and to third reading tomorrow.

Mr. Vanderburg, chairman of the committee on agriculture, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1893. }

*Mr. President:*

Your committee on agriculture, to whom was referred senate bill No. 209, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. S. VANDERBURG,  
Chairman.

On motion of Mr. Myers, senate bill No. 209 was ordered engrossed and to third reading tomorrow.



Senate bill No. 154 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—24.

Nays—None.

Absent—Messrs. Butler, Denny, Hayes, McGinn, Myers, and Weatherford—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Alley, chairman of the committee on fisheries, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on fisheries, to whom was referred senate bill No. 189, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. F. ALLEY,  
Chairman.

On motion of Mr. Maxwell, senate bill No. 189 was ordered engrossed and to third reading tomorrow.

Senate bill No. 163 coming on for third reading, was read third time.

By unanimous consent, Mr. Cross submitted the following amendment:—

#### AMENDMENT.

In section 1, line 3, after the word "brothel," insert the words "or bawdy house."

There being no objection, the chief clerk was instructed to amend the bill.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:



Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President — 27.

Nays — None.

Absent — Messrs. Butler, Hayes, and McGinn — 3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The following communication from his excellency, the governor, was read:—

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE OFFICE,  
SALEM, Oregon,  
February 8, 1893.

*To the Honorable the Senate of the State of Oregon:* I herewith return senate bill No 21, with my dissent. This bill proposes to take \$60,000, collected from the people through the taxing power of the state, and place it in the hands of a commission to be expended in making a show at Chicago.

The legislature has the undeniable right to levy taxes for the general benefit, but a well defined line of limit is clearly established between those benefits that are practical, and those that are merely speculative. It is unquestioned that the legislature can authorize expenditures for works of utility necessary for the general welfare, but it is more than questionable if it has the right to levy taxes upon the people for intangible and uncertain benefits such as are supposed to accrue from advertising their products, either in Chicago, Japan, or elsewhere. To tax some people for the benefit of others or to tax the people for any other purpose than for the frugal administration of government in the full exercise of its undoubted prerogatives may not be specifically inhibited by any constitutional provision, but it is so repugnant to right as to be equally condemnatory, for the precepts of justice should be as binding upon the conscience of the legislator as are the restrictions of the constitution. Let it be conceded that the legislature can exercise the power of levying taxes at its own will and for any purpose, and the taxpayer will become at once the prey of the schemer, and corruption and extravagance through duly enacted statutes, clothed with all the forms and sancity of law, will hold high carnival over the spoliation of the citizen. A departure from the one safe rule that the taxation of the people by the government should be strictly limited to

its honest administration in the exercise of necessary governmental functions, would open wide the door for public speculation at the expense of private thrift, and if once sanctioned, our state government would soon become what the federal government for more than a quarter of a century has been, a most effective instrumentality for the robbery of the taxpayer for the benefit of the boodler. I veto the bill.

SYLVESTER PENNOYER,  
Governor.

Mr. Matlock moved that the rules be suspended and that senate bill No. 21 be made the special order for to-morrow at 11 o'clock A. M.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Looney, Matlock, Maxwell, McAlister, Steiwer, Weatherford, Willis, Woodard, and Mr. President—19.

Nays—Messrs. Beckley, Cogswell, Huston, Myers, Smith, Vanderburg, and Veatch—7.

Absent—Messrs. Butler, Hayes, and McGinn—3.

Not voting—Mr. Raley—1.

So the rules were suspended and senate bill No. 21 was made the special order for 11 o'clock A. M. tomorrow.

Senate bill No. 212 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—None.

Absent—Messrs. Butler, Hayes, and McGinn—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 1 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney,

Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—25.

Nays—Mr. Veatch—1.

Absent—Messrs. Crosno, Hayes, and McGinn—3.

Not voting—Mr. Weatherford—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 29 coming on for third reading, was read third time.

Mr. Cameron moved that the rules be suspended and that senate bill No. 29 be made the special order for 2:30 P. M. tomorrow.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hirsch, Looney, McAlister, Smith, Steiwer, Weatherford, Willis, Woodard, and Mr. President—18.

Nays—Messrs. Beckley, Blackman, Denny, Huston, Matlock, Maxwell, Myers, Raley, Vanderburg, and Veatch—10.

Absent—Messrs. Hayes and McGinn—2.

So the senate refused to suspend the rules.

On motion of Mr. Cameron, senate bill No. 29 was laid on the table.

On motion of Mr. Weatherford, the vote by which senate bill No. 84 was referred to the committee on railroads was reconsidered.

Mr. Weatherford moved to refer senate bill No. 84 to the committee on judiciary.

The motion prevailed, and the bill was so referred.

Mr. Dodson, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 89 and 201, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

Mr. Dodson, chairman of the committee on engrossed bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 207 and 87, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

Senate bill No. 146 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hirsch, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Weatherford, Willis, Woodard, and Mr. President—24.

Nays—Messrs. Huston and Vanderburg—2.

Absent—Messrs. Denny, Hayes, McGinn, and Veatch—4.

So the bill passed.

On motion of Mr. Willis, the title of the bill was amended by striking out the figure "3," in line 1, and the title as amended stood as the title of the act.

Senate bill No. 170 coming on for third reading, was read third time.

Mr. Alley moved that the rules be suspended and that senate bill No. 170 be made the special order for 2:30 o'clock P. M. tomorrow.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Denny, Hayes, and McGinn—3.

So the rules were suspended, and senate bill No. 170 was made the special order for 2:30 o'clock P. M. tomorrow.

On motion of Mr. Willis, the vote by which senate bill No. 88 was referred to the committee on corporations was reconsidered.

Mr. Cross moved that the rules be suspended and that senate bill No. 88 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Hayes and McGinn—2.

So the rules were suspended and senate bill No. 88 was considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were;

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—None.

Absent—Messrs. Cameron, Hayes, and McGinn—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 201 coming on for third reading, was read third time.

By unanimous consent, Mr. Hirsch submitted the following amendment:—

#### AMENDMENT.

In line 4, section 12, after the words "Indian corn, 56 pounds," insert the words "corn in the ear, 68 pounds."

There being no objection, the chief clerk was instructed to so amend the bill.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Butler, Cameron, Crosno, Dodson, Gates, Hirsch, Looney, Maxwell, Raley, Smith, Willis, Woodard, and Mr. President—15.

Nays—Messrs. Beckley, Denny, Huston, Matlock, McAlister, Myers, Steiwer, Vanderburg, Veatch, and Weatherford—10.

Absent—Messrs. Cogswell, Hayes, and McGinn—3.

Not voting—Messrs. Blackman and Cross—2.

So the bill failed to pass.

Senate bill No. 89 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Beckley, Butler, Cameron, Cogswell, Crosno, Cross, Gates, Hirsch, Huston, Looney, Maxwell, Myers, Raley, Smith, Steiwer, Vanderburg, Woodard, and Mr. President—19.

Nays—Messrs. Blackman, Denny, Dodson, Matlock, McAlister, Veatch, Weatherford, and Willis—8.

Absent—Messrs. Bancroft, Hayes, and McGinn—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 159,—a bill for an act to encourage the growth of hedge fences and ornamental trees along the highways of this state.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 29,—a bill for an act to amend subdivision 8 of section 2732, title I. of chapter XVIII. on page 1277 of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 63,—a bill for an act to amend an act entitled an act to amend section 2458, title IV. of chapter XIII. of the laws of Oregon, as compiled and annotated by W. Lair Hill, relating to the terms of county officers, approved February 20, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February —, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 57,—a bill for an act to prevent the sale, gift, distribution, planting, and transportation of infected fruit trees, plants, cuttings, grafts, buds, scions, or other material, and to prescribe penalties therefor.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 186,—a bill for an act entitled an ac in regard to aliens, and to restrict their right to acquire and hold real and personal estate within the state of Oregon, and to provide for the disposition of the lands now owned within the state by non-resident aliens.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

Senate bill No. 4 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—26.

Nays—None.

Absent—Messrs. Gates, Hayes, McGinn, and Veatch—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint memorial No. 1.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 173 coming on for third reading, was read third time.

By unanimous consent, Mr. Huston submitted the following amendment:—

#### AMENDMENT.

Insert the word "have" between the words "may" and "been" in last line of the bill.

There being no objection, the chief clerk was instructed to so amend the bill.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley,



Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—28.

Nays—Mr. Veatch—1.

Absent—Mr. Hayes—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Woodard, the senate adjourned.

O. P. MILLER,  
Chief clerk.

### EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

The senate was called to order at 7 o'clock P. M. by the president.

The roll was called, and all the senators were present except Messrs. Cross, Denny, Huston, McGinn, Myers, and Weatherford.

House bill No. 46 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 46 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 46 was read second time by title only.

On motion of Mr. Weatherford, the bill was referred to the committee on judiciary.

House bill No. 3 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 3 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn,

Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 3 was read second time by title only.

On motion of Mr. Willis, the bill was referred to the committee on military affairs.

House bill No. 283 coming on for first reading was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 283 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 283 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on judiciary.

House bill No. 85 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 85 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 85 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on judiciary.

House bill No. 128 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 128 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 128 was read second time by title only.

On motion of Mr. Willis, the bill was referred to the committee on judiciary.

House bill No. 72 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 72 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended, and house bill No. 72 was read second time by title only.

On motion of Mr. Myers, the bill was referred to the committee on labor.

House bill No. 130 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 130 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 130 was read second time by title only.

On motion of Mr. Smith, the bill was referred to the committee on elections.

House bill No. 120 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 120 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and senate bill No. 120 was read second time by title only.

On motion of Mr. Looney, the bill was referred to the committee on fishing industries.

House bill No. 99 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 99 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 99 was read second time by title only.

On motion of Mr. Smith, the bill was referred to the committee on agriculture.

House bill No. 126 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 126 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 126 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on railroads.

House bill No. 7 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 7 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 7 was read second time by title only.

On motion of Mr. Crosno, the bill was referred to the committee on elections.

House bill No. 62 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 62 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 62 was read second time by title only.

On motion of Mr. Myers, the bill was referred to the committee on roads and highways.

House bill No. 86 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 86 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn,

Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 86 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on judiciary.

House bill No. 123 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 123 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, and Raley—7.

So the rules were suspended and house bill No. 123 was read second time by title only.

On motion of Mr. Veatch, the bill was referred to the committee on elections.

House bill No. 121 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 121 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, and Raley—7.

So the rules were suspended and house bill No. 121 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on claims.

House bill No. 194 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 194 be read second time now and by title only.

On this question the roll was called and the vote:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 194 was read second time by title only.

On motion of Mr. Willis, the bill was referred to the committee on education.

House bill No. 154 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 154 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 154 was read second time by title only.

On motion of Mr. Blackman, the bill was referred to the committee on judiciary.

House bill No. 108 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 108 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, and Veatch—7.

So the rules were suspended and house bill No. 108 was read second time by title only.

Mr. Cameron submitted the following amendment to house bill No. 108:—



## AMENDMENT.

2. If the objections be filed the court shall notwithstanding allow the order confirming the sale, unless on the hearing of the motion it shall satisfactorily appear that there were substantial irregularities in the proceedings concerning the sale to the probable loss or injury of the party objecting. In the latter case the court shall disallow the motion and direct that the property be re-sold in whole or in part, as the case may be, as upon an execution received of that date.

3. Upon the return of the execution the sheriff shall pay the proceeds of the sale to the clerk who shall then apply the same, or so much thereof as may be necessary, in satisfaction of the judgment. If an order of re-sale be afterwards made and the property sells for a greater amount to any person other than the former purchaser, the clerk shall first re-pay to such purchaser the amount of his bid out of the proceeds of the latter sale.

4. Upon a re-sale the bid of the purchaser at the former sale shall be deemed to renewed and continue in force, and no bid shall be taken except for a greater amount. If the motion to confirm be not heard and decided at the term at which it is made it may be continued and heard and determined before the judge, or at any term thereafter. An order confirming a sale shall be a conclusive determination of the regularity of the proceedings concerning such sale as to all persons in any other action, suit, or proceeding whatever.

5. If, after the satisfaction of the judgment, there be any proceeds of the sale remaining, the clerk shall pay such proceeds to the judgment debtor or his representative, as the case may be, at any time before the order is made upon the motion to confirm the sale; *provided*, such party file with the clerk a waiver of all objections made or to be made to the proceedings concerning the sale, but if the sale be confirmed, such proceeds shall be paid to such party, of course, otherwise they shall remain in the custody of the clerk until the sale of the property has been disposed of.

On motion of Mr. Cogswell, house bill No. 108 and the amendment was referred to the committee on judiciary.

House bill No. 177 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 177 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell,



Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 177 was read second time by title only.

On motion of Mr. Myers, the bill was referred to the committee on judiciary.

House bill No. 179 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 179 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 179 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on judiciary.

House bill No. 105 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 105 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 105 was read second time by title only.

On motion of Mr. Cogswell, the bill was referred to the committee on judiciary.

House bill No. 160 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 160 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 160 was read second time by title only.

On motion of Mr. Willis, the bill was referred to the committee on corporations.

House bill No. 169 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 169 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 169 was read second time by title only.

On motion of Mr. Cogswell, the bill was referred to the committee on counties.

House bill No. 176 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 176 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 176 was read second time by title only.

On motion of Mr. Matlock, the bill was referred to the committee on judiciary.

House bill No. 95 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 95 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 95 was read second time by title only.

On motion of Mr. Cogswell, the bill was referred to the committee on railroads.

House bill No. 67 coming on for first reading was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 67 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 67 was read second time by title only.

On motion of Mr. Cogswell, the bill was referred to the committee on counties.

House bill No. 64 coming on for first reading was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 64 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 64 was read second time by title only.

On motion of Mr. Denny, the bill was referred to the committee on agriculture.

House bill No. 53 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 53 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 53 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on judiciary.

House bill No. 96 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 96 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Butler, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 96 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on public lands.

House bill No. 127 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 127 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn,

Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 127 was read second time by title only.

On motion of Mr. Cogswell, house bill No. 127 was ordered to third reading tomorrow.

House bill No. 206 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 206 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 206 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on public lands.

House bill No. 133 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 133 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 133 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on elections.

House bill No. 36 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 36 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 36 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on judiciary.

House bill No. 24 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 24 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 24 was read second time by title only.

On motion of Mr. Matlock, the bill was referred to the committee on claims.

House bill No. 74 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 74 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 74 was read second time by title only.

On motion of Mr. Myers, the bill was laid on the table.

House bill No. 93 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 93 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President — 22.

Absent — Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch — 8.

So the rules were suspended and house bill No. 93 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on railroads.

House bill No. 8 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 8 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President — 22.

Absent — Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch — 8.

So the rules were suspended and house bill No. 8 was read second time by title only.

On motion of Mr. Crosno, the bill was ordered to third reading tomorrow.

House bill No. 44 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 44 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President — 22.

Absent — Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch — 8.

So the rules were suspended and house bill No. 44 was read second time by title only.



On motion of Mr. Bancroft, the bill was referred to the committee on military affairs.

House bill No. 114 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 114 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 114 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on judiciary.

House bill No. 94 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 94 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 94 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on judiciary.

House bill No. 129 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 129 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.



Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 129 was read second time and by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on federal relations.

House bill No. 33 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 33 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 33 was read second time by title only.

On motion of Mr. Myers, the bill was referred to the committee on claims.

House bill No. 16 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 16 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 16 was read second time by title only.

On motion of Mr. Myers, the bill was referred to the committee on judiciary.

House bill No. 65 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 65 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 65 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on judiciary.

House bill No. 135 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 135 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 135 was read second time by title only.

On motion of Mr. Myers, the bill was referred to the committee on claims.

House bill No. 117 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 117 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 117 was read second time by title only.

On motion of Mr. Myers, the bill was referred to the committee on military affairs.

House bill No. 70 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 70 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 70 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on claims.

House bill No. 116 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 116 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 116 was read second time by title only.

On motion of Mr. Myers, the bill was referred to the committee on military affairs.

House bill No. 185 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 185 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 185 was read second time by title only.

On motion of Mr. Matlock, the bill was referred to the committee on judiciary.

House bill No. 285 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 285 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 285 was read second time by title only.

On motion of Mr. McAlister, the bill was referred to the committee on claims.

House bill No. 186 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 186 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 186 was read second time by title only.

On motion of Mr. McGinn, the bill was referred to the committee on judiciary.

House bill No. 372 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 372 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 372 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on corporations.

House bill No. 1 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 1 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 1 was read second time by title only.

On motion of Mr. Cogswell, the bill was ordered to third reading tomorrow.

House bill No. 39 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 39 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 39 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on commerce.

House bill No. 284 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 284 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 284 was read second time by title only.

On motion of Mr. Myers, the bill was ordered to third reading tomorrow.

House bill No. 113 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 113 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 113 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on commerce.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 275.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 333,—a bill for an act entitled an act to

amend sections 5, 7, 8, 15, and 17 of an act entitled "An act to incorporate the town of North Yamhill, in Yamhill county, Oregon," filed in the office of the secretary of state, February 30, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 20.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 286.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

House bill No. 150 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 150 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 150 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on railroads.



House bill No. 40 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 40 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 40 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on corporations.

House bill No. 159 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 159 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and senate bill No. 159 was read second time by title only.

On motion of Mr. Looney, the bill was referred to the committee on agriculture.

House bill No. 29 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 29 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.



So the rules were suspended and house bill No. 29 was read second time by title only.

On motion of Mr. Looney, the bill was referred to the committee on judiciary.

House bill No. 63 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 63 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 63 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on claims.

House bill No. 134 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 134 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 134 was read second time by title only.

On motion of Mr. McGinn, the bill was referred to the committee on judiciary.

House bill No. 57 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 57 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn,

Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 57 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on agriculture.

House bill No. 333 coming on for first reading, was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 333 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Looney, Matlock, Maxwell, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Beckley, Gates, Hayes, Hirsch, Huston, McAlister, Raley, and Veatch—8.

So the rules were suspended and house bill No. 333 was read second time by title only.

On motion of Mr. Bancroft, the bill was referred to the committee on corporations.

The president announced that he was about to sign house bills Nos. 20, 275, and 286, and soon thereafter announced that he had signed the same.

On motion of Mr. Hirsch, house bill No. 74 was taken from the table.

On motion of Mr. Hirsch, house bill No. 74 was referred to the committee on commerce.

On motion of Mr. McGinn, the senate adjourned.

O. P. MILLER,  
Chief clerk.

THURSDAY, FEBRUARY 9, 1893.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1893. }

The senate was called to order at 10 o'clock A. M. by the president.

The roll was called, and all the senators were present except Messrs. Hayes and McGinn.

The senate was opened with prayer by Rev. Wm. Lund.

On motion of Mr. Veatch, the reading of the journal was dispensed with.

Mr. Looney, chairman of the committee on commerce, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1893. }

*Mr. President:*

Your committee on commerce, to whom was referred senate bill No. 195, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, senate bill No. 195 was ordered engrossed and to third reading tomorrow.

Mr. Looney, chairman of the committee on commerce, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1893. }

*Mr. President:*

Your committee on commerce, to whom was referred senate bill No. 196, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

#### AMENDMENT.

In section 2, line 6, printed bill, after the word "year," strike out "1872" and insert "1892."

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, the report was adopted.

On motion of Mr. Looney, senate bill No. 196 was ordered engrossed and to third reading tomorrow.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 160.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 160 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 190.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 190 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 212.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 212 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 135.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
 Chief clerk.

Senate bill No. 135 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 107,—a bill for an act to amend an act entitled an act to incorporate the city of Portland, filed in the office of the secretary of state, February 19, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 297,—a bill for an act to amend an act entitled an act to incorporate the city of Union, and to repeal an act entitled an act to incorporate the city of Union, in Union county, Oregon, approved February 5, 1885, filed in the office of the secretary of state, February 18, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 345,—a bill for an act to amend section 2 (two) of an act entitled an act to amend section 16 of an act entitled an act to amend an act entitled an act to incorporate the town of Medford, in Jackson county, Oregon, and limiting its powers and defining the duties of its officers, and to repeal an act entitled an act to incorporate the town of Medford, in Jackson county, Oregon, approved February 24, 1885, and also an act to incorporate the town of Medford, approved February 24, 1885, approved February 21, 1889, approved February 20, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

Mr. Cogswell asked unanimous consent to have house bill No. 345 read first time now.

There being no objection, house bill No. 345 was read first time.

Mr. Cameron moved that the rules be suspended and that house bill No. 345 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vandenburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Crosno, Hayes, and McGinn—3.

So the rules were suspended and house bill No. 345 was read second time by title only.

Mr. Cameron moved that the rules be further suspended and that house bill No. 345 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vandenburg, Veatch, Weatherford, Woodard, and Mr. President—26.

Absent—Messrs. Crosno, Hayes, McGinn, and Willis—4.

So the rules were suspended, and house bill No. 345 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Woodard, and Mr. President—24.

Nays—None.

Absent—Messrs. Bancroft, Crosno, Hayes, McGinn, Weatherford, and Willis—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The president stated if there were no objection hereafter all house bills would be read first time immediately after the reading of the messages from the house accompanying said bills.

There being no objection, house bill No. 297 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 107 coming on for first reading, was read first time and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 188.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 188 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 147.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 147 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 120.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 120 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 105.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 105 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 64.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.



MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 220.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 220 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 22,—a bill for an act to protect the ring-neck Mongolian pheasant in that part of the state of Oregon embraced within the counties of Douglas, Coos, Curry, Jackson, and Josephine.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 22 was read the first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 36.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 36 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 158.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
 Chief clerk.

Senate bill No. 158 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 376,—a bill for an act to require the fencing of the trunk line railroad between Portland and Ashland, and fixing liability in case of failure to comply with this act.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

House bill No. 376 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 8, with amendments herewith transmitted.

And the same is herewith returned to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief Clerk.

## AMENDMENT.

In line 2 of section 3, strike out the word "five" and insert in lieu thereof the word "six."

## AMENDMENT.

Strike out after the word "property," in section 5, line 10 (as amended), the words "unless such indebtedness is owing within said city."

## AMENDMENT.

Section 5, line 10, after the word "property," insert the following: "unless such indebtedness is owing within said city."

## AMENDMENT.

Section 5, after line 260, add the following: "*Provided*, that the city of Hillsboro is granted the authority and power to fix the rates to be charged the inhabitants of the city of Hillsboro for the use of water and lights; *provided further*, that the inhabitants of said city of Hillsboro shall never be charged by the Hillsboro Light and Water Company of said city any greater rates for the use of its water and lights than the schedule of rates in force on the first day of January, 1893."

## AMENDMENT.

Section 6, after line 5, add the following: "He is also authority to appoint all appointed officers by and with the approval of the council."

## AMENDMENT.

Strike out section 20 and insert the following: "All bonds heretofore owned by said town of Hillsboro are hereby ratified, legalized, and declared valid, and are assumed and shall be paid and performed by said town of Hillsboro."

On motion of Mr. Huston, the senate concurred in the house amendments to senate bill No. 8.

Senate bill No. 8 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 183.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 183 was ordered enrolled.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 165, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Woodard, further consideration of senate bill No. 165 was indefinitely postponed.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 65, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

AMENDMENT.

That all of said bill after the enacting clause be stricken out and in lieu thereof the following be inserted:—

Section 1. Whenever any number of persons, not less than five, shall desire to incorporate a building and loan or savings and loan association, having for its object the business of receiving and accumulating the contributions or deposits, or both, of its members and lending the same, but only to its members, they shall make a written declaration to that effect. Such declaration shall be signed, sealed, and acknowledged in the form now provided by the statutes of this state for the conveyance of real estate, and shall include the following:—

1. The name of the association; the name shall not be the same as nor to closely resemble that in use by any existing corporation

established under the laws of this state. The words "building and loan association" or "savings and loan association" shall form a part of the name, and no corporation not organized under this act shall be entitled to use a name embodying either said combination of words; *provided*, that associations now existing may continue their present names.

2. The principal office or place of business of the association, which shall be within this state.

3. The amount of capital stock and the number of shares into which the same shall be divided; *provided*, that no shares shall be of less par value than one hundred dollars.

4. The time of its duration.

5. A provision that such association is organized under this act for the purposes herein expressed.

6. The names and residences of the persons who shall make, subscribe, and acknowledge the said declaration, a majority of whom shall be citizens of this state, and who shall thereafter be called corporators.

Section 2. When so signed, sealed, and acknowledged, the declaration shall be filed in the office of the secretary of state, who shall file and record the same. Thereupon the secretary of state shall make and issue a copy of said declaration, with his certificate attached, setting forth the facts of the filing and recording of such declaration in his office. The copy of the declaration so certified shall forthwith be recorded in the office of the county recorder of conveyances of the county where the principal place of business of such corporation shall be situated, and in those counties where there is no county recorder of conveyances then in the office of the county clerk of such county. Upon compliance with the foregoing requirements, the corporators so executing such declaration, their associates, successors, and assigns shall become and be a corporate body, bearing the name set forth in such declaration, with power to sue and be sued, to contract and be contracted with, to have and use a corporate seal and to change the same at pleasure; to purchase, possess, hold, dispose, or sell such real or personal property as may be necessary and convenient to carry on its business, and in the effectual furtherance of the purposes of such association; to borrow money for the purpose of making loans and paying withdrawals, and to appoint or elect such directors, officers, and agents as the business of the association may require, and prescribe their duties and fix their compensation.

Section 3. The conduct and management of the affairs and business of such association shall be vested in a board of directors, which shall consist of not less than five nor more than ten mem-

bers. The corporators of the association shall serve as directors until the first meeting of the stockholders, to be held at the time provided for by this act, or until their successors are elected and qualified, after which the directors shall be elected by the stockholders of the association, who shall be entitled to cast one vote for each director to be elected for each share in good standing in his or her name. The directors, unless it be otherwise provided by the bylaws of the association, shall elect or appoint all the other officers of the association. Not more than four of the officers of any such association incorporated under the laws of this state shall be members of the board of directors of such association.

Section 4. Within sixty days after recording such declaration in the records of the county wherein the principal place of business is situated, the corporators then acting in the capacity of directors shall adopt appropriate bylaws to govern and prescribe the methods and the officers by whom the business of the association shall be conducted. The bylaws shall be in conformity with the provisions of this act and the laws of this state, and at all times during the regular hours of business shall be open to the inspection of the members at its principal place of business. The bylaws, among other things, shall specially provide for the character and methods of conducting the business of the association, with rules governing the admission of members, the sale of its shares, the amount of admission fee, the amount of and the periods when dues shall be paid by the members to the association, the disposition and investment of the funds of the association, including loans, the amount of premiums to be paid for, and the rate of interest on loans, the charges of management providing for the annual meeting of the shareholders of the association, for the election of directors and the appointment of the subordinate officers, for the adoption, ratification, and amendment of the bylaws, for the method of voting at such annual meeting, and for the periodical investigation of the business and condition of such association.

Section 5. At least thirty days prior to any annual or special meeting of any such association, a notice stating the time and place of such meeting shall be deposited in the postoffice at the headquarters of such association, directed to each member at his address as the same appears at the time on the books of the association; and when so deposited, postage prepaid, shall be deemed a legal and sufficient notice of any such meeting, and there shall be attached to and accompany such notice any proposed amendment or amendments to the articles of association or bylaws of such association, and a statement of any officer to be elected at such meeting. All members of such association shall be entitled to vote at such meetings in person or by proxy.

Section 6. All the moneys received by the association from whatever source, after deducting the fixed charges for management, shall be loaned to the shareholders of the association, and to them only, and in all cases shall be secured by first mortgage on real estate. The amount of such loan shall in no case exceed sixty (60) per cent of the appraised value of such real estate. The execution of the mortgage papers shall be accompanied by a transfer pledge of the shares of the borrower to the association. The shares so pledged shall be held by the corporation, on the terms to be prescribed by the bylaws, as collateral security for the performance of the conditions of the mortgage; *provided*, that the shares of the association without other security, may, in the discretion of the directors, be accepted as security for the loans for an amount not exceeding their withdrawal value as provided by this act.

The bylaws shall provide for the mode in which applications or bids for loans shall be made and received, and who shall be entitled to preference in allotting the same. All loans shall be made and considered by the directors upon such application or bids, and in no other way. The minimum amount and nature of premiums to be bid or asked for loans shall be fixed and described in the bylaws, but the same may from time to time be changed by a two thirds vote of all the members of the board of directors.

Section 7. Any premium taken for loans and fines imposed for the non-payment of dues made by any association governed by this act shall not be considered or treated as interest.

Section 8. No association governed by this act shall set apart as an expense fund, exclusive of admission fees, to exceed ten (10) cents per month upon each share of its stock, or assess any fines for non-payment of monthly installment, or otherwise, in excess of ten (10) cents per share for the first month that the same shall be in arrears, and fifteen (15) cents per share per month for every month thereafter.

Section 9. Any shareholder whose stock is not delinquent, and has not been declared forfeited in such association, and whose share or shares are not pledged upon a loan, may withdraw such share or shares from the association at any time after one year by giving at least sixty days' notice in writing to the secretary of his intention to do so. At the end of said sixty days, the association shall pay to the members so surrendering as follows: If said stock is not more than two years old, all amounts paid in by such members upon such stock, except the sums paid as membership fees and fines, and the amount of such payments set apart by said association as an expense fund, which expense fund, however, shall not exceed the amount fixed in this act. If said stock is more than



two years old, the member, upon such surrender, shall receive, in addition to the amount above specified, at least three fourths of all profits standing to the credit of such shares; *provided*, that not more than one half of the monthly installments received by such association for any month shall be used to pay withdrawals without consent of the board of directors.

Section 10. Any such association may purchase at any sale, public or private, any real estate upon which it may have a mortgage, judgment, lien, or other incumbrance, or in which it may have any interest, and may sell, convey, lease, or mortgage the same at pleasure to any person or persons, but shall not otherwise acquire or deal in real estate; *provided*, that any such association may acquire any leasehold interest necessary or convenient for the transaction of its business.

Section 11. All such associations heretofore organized under the laws of this state, or incorporated under this act, are hereby prohibited from hereafter creating or issuing any preferred or non-contributing stock; *provided*, that prepaid stock may be issued, upon which one cash payment shall be made in lieu of installments, and upon which a semi-annual dividend of not to exceed three (3) per cent on the amount paid for said stock may be paid in cash before maturity, which said stock shall not be sold at less than fifty (50) per cent of its par value; but this section shall not prevent the issue of different classes of stock.

Section 6. Every building and loan association heretofore or hereafter incorporated under the laws of this state, and governed by this act, shall deposit and keep with the secretary of state, or with a responsible trust company of this state, approved by the secretary of state, in trust for all its members and creditors, all mortgage or other securities received by it in the usual course of business. When deposited with a trust company, such company shall certify to the secretary of state the possession of such securities, and the same shall not be surrendered without the authority or sanction of the secretary of state; *provided*, that every such corporation heretofore organized, not having or owning mortgage or other securities to the amount of twenty-five thousand (\$25,000) dollars, shall on or before January 1, 1894, deposit with the secretary of state additional securities to make, with the securities so owned and deposited, equal in value to said sum of twenty-five thousand (\$25,000) dollars, and every such corporation hereafter organized under this act shall deposit and keep with the secretary of state in trust, as aforesaid, securities of the value of twenty-five thousand (\$25,000) dollars before commencing to do business. The securities mentioned in this proviso shall consist of bonds or treasury notes of



the United States, or national bank stocks, or bonds of this state, or any other state of the United States, or of any solvent city, county, or town of this state, or any other state of the United States having a legal authority to issue the same, and such securities may be withdrawn from time to time when mortgage securities of corresponding value shall be deposited, as provided in this act, or when other securities of like character are substituted therefor.

Section 13. It shall be the duty of the secretary of state annually to examine said associations and to ascertain whether or not all its securities are deposited, as required by this act, and as compensation for such service the secretary of state shall receive ten dollars (\$10) per day and ten (10) cents per mile in going to and returning from the place of such examination.

Section 14. All interest and dividends and premiums which may accrue on securities held by the secretary of state, or such trust company as provided for herein, and all dues or monthly payments which may become payable on stock pledged as security for loans, the mortgages for which are so deposited in accordance with the provisions of this act, may be collected and retained by the association depositing such securities or mortgages so long as such association remains solvent and faithfully performs all contracts with its members. Any mortgages upon which default has been made may be surrendered upon presentation of an affidavit sworn to by the president and secretary of the association owning the same, stating that such mortgage is in default, and that it is withdrawn for the purpose of foreclosure.

Section 15. No building and loan association or savings and loan association organized under the laws of any other state, territory, or nation shall do business in this state unless such association shall have securities of the value of one hundred thousand dollars (\$100,000) and of the character mentioned in this act, on deposit in trust for all its members and creditors with some responsible trust company, duly incorporated under the laws of such state or territory in the United States, or with some authorized officer of this or some other state of the United States; *provided*, that foreign companies now doing business in this state shall have until January 1, 1894, to deposit the required one hundred thousand dollars (\$100,000). A certificate of such deposit shall be filed with the secretary of state of this state, certifying the possession of such securities, which shall not thereafter be surrendered without authority or consent of the secretary of state.

Section 16. Every building and loan association or savings and loan association organized under the laws of any other state, territory, or nation shall, before commencing to do business in this

state,—first, file with the secretary of state of this state a duly authenticated copy of its charter or articles of incorporation; second, file with the secretary of state of this state a duly authenticated copy of a resolution adopted by the board of directors of such association appointing an attorney for such association, resident in this state, upon whom legal process may be served, and whose name and residence shall be stated in said resolutions, and also an agreement that said association will pay every judgment that may be taken against it upon any such action within (60) days after the final judgment shall have been entered; third, pay to the secretary of state five dollars (\$5.00) as fees for filing the papers mentioned in this act.

Section 17. The word "process" in this act shall include any writ, declaration, summons, or order whereby any action, writ, or proceeding shall be commenced or which shall be issued in or during any action, suit, or proceeding authorized by law in this state.

Section 18. When by the laws of any other state, territory, or nation any taxes, fines, penalties, licenses, fees, deposits of money or securities, or other obligations or prohibitions are imposed on building and loan associations of this state doing business in such other state, territory, or nation, or upon their agents therein, so long as such laws continue in force, the same obligations and prohibitions of whatever kind shall be imposed upon all building and loan associations or savings and loan associations of such state, territory, or nation doing business in this state, and upon their agents here.

Section 19. Any building and loan association or savings and loan association organized under the laws of any other state or territory that shall fail to pay any judgment rendered against it upon a suit in any court of this state within sixty (60) days after the rendering of final judgment in such case, or shall fail to make yearly statements to the secretary of state, as hereafter mentioned and required, or to pay the fees of the secretary of state as provided in this act, or to do any other act required in this act to be done and performed, shall, upon failure or violation of the provisions of this act have no right or authority to do or transact any further business within the limits of this state, and the secretary of state shall thereupon cause notice of the termination of such authority to do business to be mailed to such corporation and to be published in some newspaper of general circulation at the capital of the state, and shall communicate the facts to the attorney-general of this state, who shall institute such proceedings in the matter as the case may require; *provided*, any such corporation may be again authorized to commence business in this state upon such terms as the

secretary of state may deem just and proper and upon full compliance with the provisions of this act.

Section 20. All building and loan associations or savings and loan associations hereinafter incorporated in this state shall have an authorized capital of at least one million dollars (\$1,000,000) at the time of the incorporation.

Section 21. Any building and loan association or savings and loan association heretofore or hereafter incorporated under the laws of this state may at any time increase the amount of its capital stock, or amend its articles of incorporation in any other respect, or its bylaws by a vote of at least three fourths of its shareholders cast at the annual meeting or at a special meeting called for that purpose.

Section 22. Whenever any building and loan association or savings and loan association shall increase its capital stock or amend its articles of incorporation as provided in this act, a certificate of such increase or change, or both, duly verified by oath of the president and secretary of such association, shall be filed in the office of the county clerk of the county in which the home office of said association is located and in the office of the secretary of state.

Section 23. On or before the first day of September in each year, every building and loan association and savings and loan association doing business in this state shall deposit with the secretary of state a report of its affairs and operations for the year ending on the thirtieth (30th) day of June immediately preceding. Such report shall be verified upon oath by the president and secretary, or by three directors of the association, and shall contain answers to the following questions:—

1. The amount of authorized capital and the par value of each share of stock.
2. The number of shares sold during the year.
3. The number of shares cancelled and withdrawn during the year.
4. Number of shares in force at the end of the year.
5. A statement of receipts and disbursements during the year.
6. A detailed statement of the assets and liabilities at the end of the year.

And shall pay to the secretary of state a fee of five dollars (\$5) on filing such report. If any such association shall fail to furnish to the secretary of state any report required by this act at the time so required, it shall forfeit the sum of twenty-five dollars (\$25) per day for every day such report shall be delayed or withheld; and the secretary of state may maintain an action in his name of office to recover such penalty, and the same shall be paid into the

treasury of the state and applied to the expenses of the department of said secretary of state. After receiving such report, the secretary of state, if satisfied that such corporation has complied with all the provisions of this act and is entitled to do business in this state, he shall issue his certificate stating the compliance with such provisions and that the corporation is entitled to do business in this state, which certificate shall be in force for the period of one year unless sooner rescinded, as provided in this act.

Section 24. The name "building and loan association," as used in this act, shall include all corporations, societies, organizations, or associations doing a saving and loan, or investment on the building society plan, whether mutual or otherwise, and whether issuing certificates of stock which mature at a time fixed in advance or not.

Section 25. Any officer, director, agent, or solicitor of any foreign building and loan or savings and loan association, or any person whomsoever who shall in this state solicit subscriptions to the stock of such association, or who shall sell, or issue, or knowingly cause to be sold or issued to a resident of this state any stock of such association while such association shall not have the certificate of the secretary of state authorizing it to do business in this state as herein prescribed, or has not deposited, as required by this act, securities of the value and at the times herein prescribed, or before said association has complied with all the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), or by imprisonment of not less than ten days nor more than six months, or both such fine and imprisonment, in the discretion of the court.

Section 26. Any officer, director, agent, or solicitor of any building and loan association incorporated under the laws of this state, or any other person who shall sell, or issue, or knowingly cause to be sold or issued to any person not a resident of the county in which the home office of said association is located, or in the counties immediately adjacent thereto, any stock of said association while said association does not have on deposit with the secretary of state, as required by this act, securities of the value and at the time herein prescribed, or while such association shall not have the certificate of the secretary of state authorizing it to do business as herein prescribed, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars (\$100) and not more than five hundred dollars (\$500), or by imprisonment of not less than ten days nor more than six months, or by both such fine and imprisonment, in the discretion of the court.

Section 27. All corporations organized in this state and doing business in this or any other state as building and loan associations, shall comply with and be subject to all the provisions of this act within sixty (60) days after its passage, and shall be entitled to all the privileges and benefits thereof without reincorporating; *provided*, that all such companies or associations incorporated prior to the passage of this act not having at the time thereof securities to the amount of twenty-five thousand dollars (\$25,000) may have until August 1, 1893, in which to make a full deposit of said sum, as provided in section 12 of this act.

Section 28. This act shall not apply to any association organized under the laws of this state, which confines its loaning and business operations wholly to the county wherein it is located, and the counties immediately adjacent thereto, and which does not employ agents or solicitors other than its secretary; *provided*, that any such association, heretofore incorporated, which desires hereafter to confine its business to adjacent counties, as aforesaid, may file with the secretary of state a statement to that effect, and also containing the names of those holding, and the amount held by them, of the stock of said association outside such counties; and so long as such association thereafter confines its sales of stock within the limits aforesaid it shall not be subject to the provisions hereof; and any sales of stock outside the limits of said counties made after filing all such statements by any officer, director, or agent of any such association, shall subject such person to all the penalties prescribed in section 28 of this act; *provided further*, that nothing in this act shall be so construed to prevent the bona fide sale or transfer of the individual stock of any member of such association.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Denny, senate bill No. 65 was ordered engrossed and to third reading tomorrow.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 210, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Myers, senate bill No. 210 was ordered engrossed and to third reading tomorrow.

On motion of Mr. Denny, the vote by which senate bill No. 210 was ordered engrossed and to third reading tomorrow was reconsidered.

On motion of Mr. Willis, senate bill No. 210 was laid on the table.

On motion of Mr. Hirsch, the courtesies of the senate were extended to Hon. ex-Governor Moody, and he was invited to a seat within the bar of the senate.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 184, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

#### AMENDMENT.

Amend section 1, line 2 of printed bill, to read, "exceed \$5,000 per annum, who is paid otherwise than by fixed salary."

#### AMENDMENT.

Amend section 2, line 10 of printed bill, to read, "in excess of \$1,250."

#### AMENDMENT.

Section 3, strike out the word "the" in beginning of line 3 and insert the word "this" in lieu thereof.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Weatherford, senate bill No. 184 was ordered engrossed and to third reading tomorrow.



Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 150, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, further consideration of senate bill No. 150 was indefinitely postponed.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 186, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

O. N. DENNY,  
Chairman.

On motion of Mr. Vanderburg, senate bill No. 186 was ordered engrossed and to third reading tomorrow.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 84, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

That all of said bill after the enacting clause be stricken out and the following inserted in lieu thereof:—

Section 1. Where, after the passage of this act, personal injury not resulting in death is caused to an employé who is himself in the exercise of due care and diligence at the time:—

1. By reason of any defect in the condition of the ways, works, or machinery connected with or used in the business of the employer, or of any person in the service of the employer, which arose from or had not been discovered or remedied owing to the negligence of the employer, or of any person in the service of the employer, and entrusted by him with the duty of seeing that the ways, works, or machinery were in proper condition.

2. By reason of the negligence of any person in the service of the employer entrusted with and exercising superintendence, whose sole or principal duty is that of superintendence.

3. By reason of the negligence of any person in the service of the employer who has the charge or control of any signal, switch, locomotive, engine, or train upon a railroad, the employé in the foregoing cases, but in no other, shall have the same right of compensation and remedies against the employer as if the employé had not been an employé of nor in the service of the employer, nor engaged in its work.

Section 2. Where an employé is instantly killed, or dies as the result of the negligence of an employer, or of the negligence of any person for whose negligence the employer is liable under the provisions of this act, the widow only of the deceased, or, in case there is no widow, the personal representatives of the deceased, for the benefit of the next of kin; *provided*, that such next of kin were at the time of the death of such employé dependent upon the wages of such employé for support, may maintain an action for damages therefor, and may recover in the same manner and to the same extent as if the death of the deceased had not been instantaneous.

Section 3. The amount of compensation recoverable under this act, in cases of personal injury, shall not exceed the sum of four thousand dollars (\$4,000); in case of death, compensation in lieu thereof may be recovered in not less than five hundred dollars (\$500) and not more than five thousand dollars (\$5,000), to be assessed with reference to the degree of culpability of the employer herein, or the person for whose negligence he is made liable; and no action for the recovery of compensation for injury or death under this act shall be maintained unless notice of the time, place, and cause of the injury is given to the employer within thirty days,



and the action is commenced within one year from the occurrence of the accident causing the injury or death, but no notice given under the previous section shall be deemed to be invalid or insufficient solely by reason of any inaccuracy in stating the time, place, or cause of the injury; *provided*, it is shown that there was no intention to mislead, and that the party entitled to notice was not in fact mislead thereby.

Section 4. Whenever an employer enters into a contract, either written or verbal, with an independent contractor to do part of such employer's work, or whenever such contractor enters into a contract with a sub-contractor to do all or any part of the work comprised in such contractor's contract with the employer, such contract or sub-contract shall not bar the liability of the employer for injuries to employes of such contractor or sub-contractor by reason of any defect in the condition of the ways, works, machinery, or plant, if they are the property of the employer, or furnished by him, and if such defect arose or had not been discovered or remedied through the negligence of the employer, or of some person entrusted by him with the duty of seeing that they were in proper condition.

Section 5. An employe, or his legal representatives or widow, shall not be entitled under this act to any right of compensation or remedy against his employer in any case where such employe knew of the defect or negligence which caused the injury, but failed within a reasonable time to give or cause to be given information thereof to the employer, or to some person superior to himself in the service of the employer who had entrusted to him some general superintendence.

Section 6. This act shall not apply to injuries caused to domestic servants or farm laborers by other fellow-employes.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Alley, senate bill No. 84 was ordered engrossed and printed.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 126, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate without recommendation.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, senate bill No. 126 was ordered engrossed and to third reading tomorrow.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 26, 28, 31, and senate joint memorial No. 1, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

On motion of Mr. Weatherford, the courtesies of the senate were extended to Lieutenant Hancock, and he was invited to a seat within the bar of the senate.

On motion of Mr. Looney, the courtesies of the senate were extended to ex-Senator Chamberlin, and he was invited to a seat within the bar of the senate.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 205, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Woodard, senate bill No. 205 was ordered engrossed and to third reading tomorrow.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 10,—a bill for an act to amend sections 3 and 6 of an act entitled an act to protect salmon and other food fishes in the state of Oregon, and upon all waters upon which this state has concurrent jurisdiction, and to repeal sections 3489, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497, and 3498 of Hill's annotated laws of Oregon, approved February 16, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 10 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 180,—a bill for an act to provide for the protection of game, fish, and wild fowl, and to amend sections 1930 and 1932 of the general laws of Oregon, as found in the second edition of the code thereof, compiled and annotated by William Lair Hill, and to amend section 1 of an act entitled an act to protect the ring-necked Mongolian pheasant, quail or bob white, prairie chicken, and pheasant in that part of the state of Oregon east of the Cascade mountains, approved February 21, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 180 was read first time and passed to second reading without question.

Mr. Dodson, chairman of the committee on counties, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1893. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 182, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

Strike out figure "4" after the words "Tillamook county" and insert in lieu thereof the figure "5."

O. M. DODSON,  
Chairman.

On motion of Mr. Dodson, the report was adopted.

On motion of Mr. Dodson, senate bill No. 182 was ordered engrossed and to third reading tomorrow.

Mr. Dodson, chairman of the committee on counties, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1893. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 172, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

Insert before the words "John Day river," in line 9, section 1 of printed bill, the following: "South line of township 6 south; thence east on said south line to the east line of range 25 east; thence south on said range line to the."

O. M. DODSON,  
Chairman.

On motion of Mr. Dodson, the report was adopted.

On motion of Mr. Dodson, senate bill No. 172 was ordered engrossed and to third reading tomorrow.

Senate bill No. 207 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Nays—None.

Absent—Messrs. McGinn and Raley—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 87 coming on for third reading, was read third time.

By unanimous consent, Mr. Bancroft submitted the following amendment:—

#### AMENDMENT.

In section 3, line 3, engrossed bill, strike out the words "for each candidate."

There being no objection, the chief clerk was instructed to so amend the bill.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hirsch, Maxwell, McAlister, Myers, Willis, and Mr. President—15.

Nays—Messrs. Beckley, Butler, Cross, Hayes, Huston, Looney, Matlock, Smith, Steiwer, Vanderburg, Veatch, Weatherford, and Woodard—13.

Absent—Messrs. McGinn and Raley—2.

So the bill failed to pass.

Senate bill No. 179 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer,

Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Nays—None.

Absent—Messrs. McGinn and Raley—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

This being the hour set apart for the consideration of senate bill No. 21, the senate proceeded with that order.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Willis, Woodard, and Mr. President—19.

Nays—Messrs. Beckley, Butler, Huston, Myers, Smith, Steiwer, Vanderburg, Veatch, and Weatherford—9.

Absent—Messrs. Cogswell and Raley—2.

So the bill passed notwithstanding the objection and veto of the governor.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 258,—a bill for an act to amend an act entitled an act to incorporate the city of Sheridan, in Yamhill county, Oregon, filed in the office of the secretary of state, February 18, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 258 was read first time and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 139, 215, and 278.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 28 and senate joint memorial No. 1.

And the same are herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bills Nos. 139, 215, and 278, and senate joint memorial No. 1, and senate bill No. 28, and soon thereafter that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 320,—a bill for an act supplementary to and amendatory of an act entitled "An act to incorporate the town of Elgin, in Union county, state of Oregon," filed in the office of the secretary of state, February 18, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 320 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 26.

And the same is herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 31.

And the same is herewith returned to you for your signature.

D. C. SHERMAN,  
 Chief clerk.

The president announced that he was about to sign senate bills Nos. 26 and 31, and soon thereafter that he had signed the same.

Mr. Willis, chairman of the special committee, to whom was referred senate bill No. 122, submitted the following report:—

## REPORT.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 February 8, 1893. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 122, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

## AMENDMENT.

Strike out the word "before" on line 5 of section 6 of the printed bill.

## AMENDMENT.

Strike out the word "either" on line 6 of section 6 of the printed bill.

## AMENDMENT.

Add to section 15 the following: "And hereafter no justice of the peace shall be elected in or for any precinct within the corporate limits of the city of Portland, nor shall any justice of the peace hold office within any such precinct after this act shall go into effect, except as herein provided."

## AMENDMENT.

Insert between the words "act" and "and" on the third line of section 16 of the printed bill, the words "and said municipal court



shall be deemed and be the successor of such police judge and justices of the peace, and have and exercise all the powers and perform all the duties which might have been exercised and performed by such police judge and justices of the peace had this act not been passed, with reference to all causes and process undertermined or unexecuted at the time this act shall go into effect."

## AMENDMENT.

Add to section 17 the following: "All process outstanding or unexecuted at the time this act goes into effect may be executed and returned by the several officers in whose hands the same may then be for execution; *provided*, that the return thereof shall be made to said municipal court."

## AMENDMENT.

Between the words "thereof" and "be" on the second line of section 19 of the printed bill, insert the words "entitled an act to incorporate the city of Portland."

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, the report was adopted.

On motion of Mr. Willis, senate bill No. 122 was ordered engrossed and to third reading tomorrow.

Senate bill No. 145 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—28.

Nays—None.

Absent—Mr. McGinn—1.

Not voting—Mr. Veatch—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Alley moved that the senate do now adjourn.

The motion was lost.

Senate bill No. 72 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—28.

Nays—None.

Absent—Messrs. McGinn and Veatch—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Weatherford moved that a committee of three be appointed on per diem and mileage.

The motion prevailed.

Senate bill No. 152 coming on for third reading, was read third time.

Mr. Bancroft moved that the bill be referred to the committee on judiciary for the purpose of amendment.

Mr. Willis moved to amend by referring to the committee on labor.

The motion was lost.

The motion to refer senate bill No. 152 to the committee on judiciary prevailed, and the bill was so referred.

On motion of Mr. Veatch, the senate adjourned.

O. P. MILLER,  
Chief clerk.

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### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1893. }

The senate was called to order at 2 o'clock P. M. by the president.

The roll was called, and all the senators were present except Messrs. Butler, Cogswell, Dodson, and Matlock.

Mr. McGinn, chairman of the committee on engrossed bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 189, 209, 202, 97, 199, 114, 203, 168, 197, 195, 184, 205, and 172, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senate bill No. 197 coming on for third reading, was read third time.

By unanimous consent, Mr. Willis submitted the following amendment:—

## AMENDMENT.

In line 8, section 6, strike out the words "the other" and insert the word "another."

There being no objection, the chief clerk was instructed to so amend the bill.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—27.

Nays—Messrs. Veatch and Weatherford—2.

Absent—Mr. Matlock—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Smith, senate bill No. 202 was re-referred to the committee on commerce.

On motion of Mr. Myers, the vote by which senate bill No. 201 failed to pass was reconsidered.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch,

Huston, Looney, Maxwell, McGinn, Myers, Raley, Smith, Steiwer, Willis, Woodard, and Mr. President—25.

Nays—Messrs. Matlock, McAlister, Vanderburg, Veatch, and Weatherford—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Beckley, chairman of the special committee, to whom was referred senate bill No. 211, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1893. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 211, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

HENRY BECKLEY,  
Chairman.

On motion of Mr. Beckley, senate bill No. 211 was ordered engrossed and to third reading tomorrow.

The hour having arrived for the special order—the consideration of senate bill No. 170, the same was read third time.

Mr. Cogswell moved that further consideration of senate bill No. 170 be indefinitely postponed.

Messrs. Myers and Blackman called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Cogswell, and Matlock—3.

Nays—Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Crosno, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—24.

Absent—Mr. Cross—1.

Not voting—Messrs. Denny and Weatherford—2.

So the senate refused to adopt the motion.

Mr. Cogswell asked unanimous consent to having the following amendment inserted:—

#### AMENDMENT.

Amend by adding after section 79 another section, which shall read as follows:—

Section 80. The provisions of this act shall not apply to the counties of Crook, Klamath, and Lake.

Objection being offered, the amendment was not made.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cogswell, Crosno, Gates, Hirsch, Maxwell, McGinn, Myers, Raley, Vanderburg, Woodward, and Mr. President—15.

Nays—Messrs. Beckley, Cameron, Looney, Matlock, McAlister, Smith, Steiwer, Veatch, Weatherford, and Willis—10.

Absent—Messrs. Cross, Denny, and Dodson—3.

Not voting—Messrs. Hayes and Huston—2.

So the bill failed to pass.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 36, 105, 135, and 188, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 149,—a bill for an act to amend section 1795 of the general laws of the state of Oregon, as compiled and annotated by William Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 149 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 179.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 179 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 104,—a bill for an act to amend sections 3054, 3055, 3056, 3057, and 3058 of Hill's annotated laws of Oregon, relating to chattel mortgages.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 104 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 175,—a bill for an act to amend an act fixing the time for holding elections; regulating the manner of conducting state, district, county, and precinct elections; prescribing the manner of making nominations of candidates; providing for printing and distributing ballots by public officers at public expense; to prevent frauds, and punish crimes affecting the right of suffrage; to repeal all of an act entitled "An act to provide for the registration of voters, regulating the manner of conducting elections, pro-

viding for the prevention and punishment of frauds affecting the elective franchise, and repealing title I. of chapter XIV. of the miscellaneous laws of Oregon, approved February 24, 1885"; to repeal all of an act entitled "An act to amend sections 4, 10, 14, 15, and 24 of an act entitled 'An act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I. of chapter XIV. of the miscellaneous laws of the state of Oregon, approved February 24, 1885,' approved November 25, 1885"; to repeal all of an act entitled "An act to amend section 49 of 'An act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I. of chapter XIV. of the miscellaneous laws of Oregon, approved February 24, 1885,' approved November 25, 1885"; to repeal all of an act entitled "An act relating to elections, approved October 19, 1872"; to repeal sections 26, 27, and 28 of an act entitled "An act relating to elections, and the mode of filling vacancies in office, approved October 29, 1870"; to repeal all of an act entitled "An act to amend section 2507 of Hill's annotated laws of Oregon, relating to elections and ballot paper, approved February 20, 1889," the same being identical with titles I. and II. of chapter XIV., sections 2499 to 2537, both inclusive, of the miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill, and to repeal all acts and parts of acts in conflict with this act.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 175 was read first time and passed to second reading without question.

Mr. Cogswell moved that the rules be suspended and that house bill No. 175 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Willis, and Mr. President—24.

Nays—Messrs. Huston, Vanderburg, Weatherford, and Woodward—4.

Absent—Messrs. Cross and Veatch—2.

So the rules were suspended and house bill No. 175 was read second time by title only.

On motion of Mr. Cogswell, the bill was referred to the committee on elections.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 21,—a bill for an act for the protection of wild water fowl.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 21 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 43,—a bill for an act to amend sections 3320, 3323, 3324, 3325, and 3326 of chapter XXXV. of Hill's annotated laws of Oregon, on the subject of the incorporation of cemeteries.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 43 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 34,—a bill for an act to protect the ring-neck Mongolian pheasant in the counties of Jackson and Josephine, Oregon.



And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 34 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 157,—a bill for an act entitled an act to regulate the employment of specialists in any line of education in the public schools of the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 157 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 345 and 87, the same having been reported as correctly enrolled.

And the same are herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced he was about to sign house bills Nos. 345 and 87, and soon thereafter that he had signed them.

By unanimous consent, Mr. Vanderburg introduced senate joint memorial No. 2.

SENATE JOINT MEMORIAL NO. 2.

*To the Senate and House of Representatives of the United States of America in Congress Assembled:* Your memorialist, the legislative assembly of the state of Oregon, most respectfully represent:

Whereas there is great need of a sufficient supply of full legal tender fractional paper currency to facilitate transactions of business through the mails without expense to the people; whereas this currency would be a source of revenue to the government, inasmuch as the people in transmitting it through the mails and using it in business assume all liability of loss by destruction and wear and tear of the same; therefore, be it

*Resolved*, That we earnestly request that congress provide for the issuing of fifty million dollars of full legal tender fractional paper currency, and that our representatives in congress be requested to labor for the passage of such bill; that the secretary of state is hereby instructed to forward a copy of this memorial to our senators and representatives in congress.

Mr. Vanderburg moved the adoption of the memorial.

Mr. Cross moved to amend by striking out the word "fifty," and insert in lieu thereof "five hundred."

Messrs. Cogswell and Weatherford called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cross, Denny, Gates, Hirsch, Matlock, Maxwell, Vanderburg, Willis, and Mr. President — 9.

Nays — Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Dodson, Hayes, Huston, Looney, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Veatch, Weatherford, and Woodard — 20.

Absent — Mr. Alley — 1.

So the amendment was lost.

The question being on the adoption of the memorial.

Messrs. Cogswell and Weatherford called for the yeas and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Butler, Cogswell, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford, and Woodard — 16.

Nays — Messrs. Bancroft, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, McGinn, Steiwer, Willis, and Mr. President — 13.

Absent — Mr. Alley — 1.

So senate joint memorial No. 2 was adopted.

On motion of Mr. Denny, the chairman of committee on engrossed bills was requested to return to the senate senate bill No. 126.

Mr. McGinn, chairman of the committee on engrossed bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 126, beg leave to report the same back to the senate.

HENRY E. MCGINN,  
Chairman.

On motion of Mr. Denny, the bill was referred to the committee on judiciary.

Senate bill No. 109 coming on for third reading, was read third time.

Mr. Cross submitted the following amendment:—

## AMENDMENT.

In section 21, line 2 of the printed bill, strike out the word "fifty" and insert in lieu thereof the word "twenty."

There being no objection, the chief clerk was instructed to so amend the bill.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President — 27.

Nays — Messrs. Raley and Weatherford — 2.

Absent — Mr. Veatch — 1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Dodson, from the committee on engrossed bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate

bills Nos. 196, 182, 84, 134, 215, 186, and 122, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 26,—a bill for an act to provide for a court of arbitration.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 26 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 66,—a bill for an act entitled "An act to amend section 1544 of the laws of Oregon, as annotated and compiled by W. Lair Hill."

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 66 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February —, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 151,—a bill for an act to amend section 350

(347) of the miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 151 was read first time and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 36, 105, 135, and 188.

And the same is herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign senate bills Nos. 36, 105, 135, and 188, and soon thereafter that he had signed them.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint memorial No. 2.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

House joint memorial No. 2 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 88.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 88 was ordered enrolled.

Senate bill No. 50 coming on for third reading, was read third time.

By unanimous consent, the following amendments were submitted to section 1:—

AMENDMENT.

By Mr. Dodson, after the word "Baker," insert the words "one deputy at \$1,200."

AMENDMENT.

By Mr. Cogswell, after the word "Crook," insert "\$1,800"; also after the word "Klamath," strike out "\$1,000" and insert in lieu thereof "\$1,800"; also after the word "Lake," strike out "\$1,000" and insert in lieu thereof "\$1,800."

AMENDMENT.

By Mr. Blackman, after the word "Grant," strike out "\$2,000" and insert in lieu thereof "\$2,400"; also after the word "Harney," strike out "\$2,000" and insert in lieu thereof "\$2,400."

AMENDMENT.

By Mr. Alley, after the word "Lane," strike out "\$2,000" and insert in lieu thereof "\$2,500."

AMENDMENT.

By Mr. Dodson, after the word "Malheur," strike out "\$1,000" and insert in lieu there "\$1,800," and add "one deputy at \$900."

AMENDMENT.

By Mr. Hirsch, after the words "Marion \$2,000," add "one deputy at \$900."

AMENDMENT.

By Mr. Blackman, after the word "Morrow," strike out "\$2,000" and insert in lieu thereof "\$2,400."

AMENDMENT.

By Mr. Huston, after the words "Washington \$1,800," add "one deputy at \$600."

There being no objection, the clerk inserted the amendments as directed.

The following amendments were submitted to section 3:—

AMENDMENT.

By Mr. Dodson, after the word "Baker," strike out "\$1,500" and insert in lieu thereof "\$1,800."

AMENDMENT.

By Mr. Weatherford, after the word "Linn," strike out "\$1,500" and insert in lieu thereof "\$1,800."

AMENDMENT.

By Mr. Hirsch, after the words "Marion county \$1,800," add "one deputy \$800."

AMENDMENT.

By Mr. Huston, after the words "Washington \$1,500," add "one deputy \$600."

There being no objection, the clerk inserted the amendments as directed.

The following amendments were submitted to section 4:—

AMENDMENT.

By Mr. Dodson, after the words "Baker, \$2,000," add "first deputy, \$1,200; second deputy, \$900."

AMENDMENT.

By Mr. Cogswell, after the words "Coos \$1,500," insert "the sheriff of Crook county shall receive an annual salary of \$2,500."

AMENDMENT.

By Mr. Cameron, after the words "Jackson \$2,000," insert "one deputy \$1,000."

AMENDMENT.

By Mr. Cogswell, after the word "Klamath," strike out "\$1,500" and insert "\$2,500," and after the word "Lake," strike out "\$1,500" and insert in lieu thereof "\$2,500."

## AMENDMENT.

By Mr. Alley, after the word "Lane," strike out "\$2,000" and insert in lieu thereof "\$2,500."

## AMENDMENT.

By Mr. Dodson, after the word "Malheur," strike out "\$1,500" and insert in lieu thereof "\$2,000," and add "one deputy at \$1,000."

## AMENDMENT.

By Mr. Hirsch, after the words "Marion, \$2,500," add "one deputy, \$900."

## AMENDMENT.

By Mr. Maxwell, after the words "Tillamook, \$1,200," add "one deputy, \$600."

## AMENDMENT.

By Mr. McAlister, after the words "Union, \$2,500," add "first deputy, \$1,200; second deputy, \$900."

## AMENDMENT.

By Mr. Huston, after the word "Washington, \$2,000," add "one deputy, \$800."

There being no objection, the clerk inserted the amendments as directed.

Pending further consideration of senate bill No. 50, on motion of Mr. Cogswell, the senate adjourned.

O. P. MILLER,  
Chief clerk.

FRIDAY, FEBRUARY 10, 1893.

## MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

The senate was called to order at 10 o'clock A. M. by the president. The roll was called and Senators Crosno and McGinn were absent. On motion of Mr. Myers, the reading of the journal was dispensed with.



Mr. Looney, chairman of the committee on commerce, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on commerce, to whom was referred house bill No. 39, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

In line 29, on page 2 of engrossed bill, strike out the word "Multnomah" and in lieu thereof insert the word "Clatsop."

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, the report was adopted.

On motion of Mr. Looney, house bill No. 39 was ordered to third reading tomorrow.

Mr. Looney, chairman of the committee on commerce, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on commerce, to whom was referred house bill No. 113, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

In section 1, line 1 of original bill, after the word "that" strike out the word "forty-nine" and insert the word "fifty."

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, the report was adopted.

House bill No. 113 was ordered to third reading.

At this time senate bill No. 50 was taken up for further consideration.

By unanimous consent, the following amendments were submitted:—

AMENDMENT.

By Mr. Hirsch, after the words "Marion, \$1,800," in section 3, insert the words "two deputies, for both, \$1,500"; also after the words "Marion, \$2,500," in section 4, the words "two deputies, \$1,800 for both."

AMENDMENT.

By Mr. Willis, strike out all of section 5; also after the words "Multnomah county, clerk of county clerk, \$4,500," in section 2, insert "Clerk of county court. He may appoint as many deputies as the county court of said county shall by said order authorize; one of which deputies shall be paid at the rate of \$1,800 per year, and the others at such rate as said county court shall by order direct, not exceeding \$1,200 per year"; also in section 2, after the words "clerk of circuit court, \$4,500," insert the following: "Clerk of circuit court. He may appoint as many deputies as the county court of said county shall by order authorize, four of which deputies shall be paid at the rate of \$1,800 each per year, and the others at such rate as said county court shall by order direct, not exceeding \$1,200 per year"; also in section 3, after the words "Multnomah, \$3,000," insert the following: "Recorder of conveyances. He may appoint as many deputies as the county court of said county shall by order authorize; one of which deputies shall be paid at the rate of \$1,500 per year, and the others at such rate as said county court shall by order direct, not exceeding \$1,200 per year"; also in section 4, after "Multnomah, \$5,000," insert: "The sheriff may appoint as many deputies as the county court of said county shall by order authorize; one of which deputies shall be paid at the rate of \$1,800 per year, and the others at such rate as said county court shall by order direct, not exceeding \$1,200 per year."

There being no objection, the clerk inserted the amendments as directed.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—26.

Nays—Mr. Cameron—1.

Absent—Mr. Cross—1.

Excused—Mr. Cogswell—1.

Not voting—Mr. Crosno—1.

So the bill passed.

Mr. Cross moved to amend the title by striking out the words "clerk of the supreme court."

The motion prevailed, and the title was so amended and the title as amended stood as the title of the act.

By unanimous consent, the bill was ordered engrossed and printed.

Mr. McGinn asked leave of absence for one day.

There being no objection the leave was granted.

On motion of Mr. Myers, senate bill No. 24 was ordered engrossed and to third reading.

Mr. Bancroft moved that the rules be suspended and that house bill No. 39 be now taken up, read third time and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Absent—Mr. Crosno—1.

So the rules were suspended, and house bill No. 39 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Nays—None.

Absent—Mr. Raley—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Myers, the vote by which senate bill No. 24 was ordered engrossed and to third reading tomorrow was reconsidered.

On motion of Mr. Myers, the report was adopted.

On motion of Mr. Cogswell, the bill was referred to the committee on federal relations.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1893. }

*Mr. President :*

Your committee on judiciary, to whom was referred senate bill No. 85, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

## AMENDMENT.

Strike out all after the enacting clause and insert in lieu thereof as follows:—

Section 1. In addition to the circuit judges now provided for by law, there shall be elected by the qualified voters of the third judicial district of the state of Oregon at the general election to be held in June, 1894, a circuit judge for said district, and in like manner his successor shall be elected at the general election to be held in June, 1898, and every six years thereafter; *provided*, that any judge elected under this act shall qualify and enter upon the discharge of his duties on the first Monday in July next after his election, and shall continue in office until the election and qualification of his successor.

Section 2. The qualification, duties, jurisdiction, and powers of said circuit judge shall be such as are prescribed by the constitution and laws of the state of Oregon, except as hereinafter otherwise expressly provided; and his salary shall be the same and payable in the same manner as other circuit judges of the same district.

Section 3. The business of the circuit courts of the several counties in said district shall be divided into two divisions, one of which shall be designated as department No. 1, and the other as department No. 2. All actions at law pending in any of said circuit courts at the time when a circuit judge shall first qualify under this act, or that may thereafter be pending, including all actions at law commenced therein, or that may be brought there by appeal or otherwise from any inferior court, officer, or tribunal, or any other court, shall be heard and determined in department No. 1 in the same manner, to the same extent, and with like effect as though this act had not passed, except as herein otherwise expressly provided. All suits in equity and all applications to the equity side of the court so pending as aforesaid in any of said courts, or that may thereafter be commenced, or otherwise pending there, includ-

ing appeals from the county courts in the nature of equitable proceedings, and all suits or proceedings in divorce, and for the dissolution of the marriage contract and partition, shall be heard and determined in department No. 2 in the same manner, to the same extent, and with like effect as though this act had not passed, except as herein otherwise provided. All indictments so pending as aforesaid in any of the said courts, or that may thereafter be found or pending therein, and all criminal proceedings, and all business relating to criminal proceedings of every nature or description, commenced or brought into said court, shall be transacted, heard, and determined in department No. 2 in the same manner, to the same extent, and with like effect as though this act had not passed, except as herein otherwise provided.

Section 4. It shall be the duty of the clerks of said circuit courts to arrange the papers and files of their respective offices so as to carry out the purposes of this act; and all business found in one department belonging to the other, according to the above classification, may be transferred by order of the court, so as to be heard and determined in the proper department, but it shall be unlawful to do any of the business of said courts in either department.

Section 5. The judge then longest in continuous service, or, if at any time they shall then have been in continuous service the same length of time, the senior judge in age, shall act in department No. 1, and the other judge in department No. 2, but either department; and said judges shall jointly and severally have power to make all needful rules and regulations not inconsistent with law to effectuate the object of this act and facilitate the transaction of business.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Denny, senate bill No. 85 was ordered engrossed and to third reading tomorrow.

Mr. Cogswell, chairman of the committee on federal relations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President :*

Your committee on federal relations, to whom was referred house bill No. 129, beg leave to report that we have had the same under

consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

AMENDMENT.

In line 18, page 2, strike out the word "an" and insert in lieu thereof the words "a county," so that it will read "a county agricultural society"; also after the word "premium," in line 21, page 2 of printed bill, add "and unless the president of such county agricultural society shall, on or before the thirty-first day of August of each year, file with the president of the Southern Oregon state board of agriculture, an affidavit setting forth the fact that said county agricultural society has held a fair during the preceding year, as provided in this section, it shall be conclusively presumed that no such fair has been held."

C. A. COGSWELL,  
Chairman.

On motion of Mr. Cogswell, the report was adopted.

On motion of Mr. Cogswell, house bill No. 129 was ordered to third reading tomorrow.

On motion of Mr. Myers, senate bill No. 108 was taken from the table.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hirsch, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Nays—Messrs. Hayes, Huston, Looney, Maxwell, and Vanderburg—5.

Absent—Messrs. Crosno and McGinn—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

A communication from the Capital Typographical Union No. 210 was read.

On motion of Mr. Myers, the communication was referred to the committee on labor, with instructions to have printed.

By unanimous consent, Mr. Woodard introduced senate joint resolution No. 10.

SENATE JOINT RESOLUTION NO. 10.

Whereas there is a widespread and growing sentiment that the only practical solution of the convict labor problem upon a basis

Be it enacted

which shall encounter the least opposition from the various trade industries throughout our state would be attained by the employment of said convicts in building roads and highways throughout our state; and whereas the problem of introducing jute mills at this time for the employment of said convicts is at best experimental and one attended by enormous expenditure of public money, and should it be adopted and ultimately found unsatisfactory and inexpedient we will not only have wasted our funds, but will be confronted again by the same problem in some amended form involving perhaps another exorbitant outlay of money, each change adding to the burden of taxation without accomplishing any permanent relief; and whereas the problem of better roads is one now engrossing the attention not only the citizens of our own but of nearly every other progressive state in the union; and whereas it is believed that the employment of our convicts in building good roads and in the construction of the fish ladder at Oregon City would better subserve the interests of all portions of the state; therefore, be it

*Resolved by the Senate, the House concurring,* That a joint committee of five, consisting of three on the part of the house and two on the part of the senate, be appointed to consider and formulate some plan and draft an act to that end, that a portion or all of the state convicts may be so employed and utilized in building the public roads or highways of the state.

On motion of Mr. Huston, senate joint resolution No. 10 was laid on the table.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 162,—a bill for an act to amend section 4064, chapter LXXVI., title I., of miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, relating to the appointment of surveyor to survey county roads, and the act approved February 20, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 162 was read first time and passed to second reading without question.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 100,—a bill for an act relating to public roads, providing for the election, defining the duties, and fixing the compensation of road supervisors; also providing for the levying, collecting, and apportionment of road taxes; also for the punishment of persons obstructing drains or ditches made for the preservation of roads; also for the manner of making uniform grades; also for compensation to be paid persons employed by supervisors; also for the filling of vacancies in the office of supervisors, and repealing sections 4082, 4083, 4086, 4088, 4089, 4090, 4091, 4092, 4093, 4095, 4096, 4097, 4098, and 4100, title I., chapter LXXVI. of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, and also repealing sections 4084 and 4085 (as amended by a act entitled "An act to amend sections 4061, 4070, 4084, and 4085, of title I., chapter LXXVI. of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill," approved February 25, 1889), of title I., chapter LXXVI. of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, and repealing all other laws in conflict herewith.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

House bill No. 100 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February —, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 80,—a bill for an act to amend sections 1930, 1935, and 1940 of chapter VIII. of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.



House bill No. 80 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 241,—a bill for an act to amend section 1 (one) of an act entitled, an act to amend sections 393 and 805 of the code of civil procedure of the state of Oregon, as compiled by Matthew P. Deady and Lafayette Lane, as amended by an act entitled an act to amend an act entitled an act to provide a code of civil procedure, approved October 11, 1862, approved October 28, 1874, and sections 531 and 533 of the code of civil procedure of the state of Oregon, as compiled by Matthew P. Deady and Lafayette Lane, approved February 24, 1885, the same being identical with sections 397, 815, 541, and 543 respectively, of the code of civil procedure of the state of Oregon, as compiled and annotated by William Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 241 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 236,—a bill for an act to amend the act entitled "An act to change the time of meeting of the legislature of the state of Oregon," approved October 13, 1882.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 236 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has requested that senate bill No. 88 be returned to the house for the purpose of amendment.

D. C. SHERMAN,  
Chief clerk.

Mr. Weatherford moved that the rules be suspended and that house bill No. 1 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—26.

Nays—Messrs. Cross and Steiwer—2.

Absent—Messrs. Crosno and McGinn—2.

So the rules were suspended and house bill No. 1 was read third time.

Mr. Butler asked unanimous consent to amend the bill by striking out "\$80,000" and insert in lieu thereof "\$40,000."

Objections were made.

Mr. Alley moved to adjourn.

Lost.

Mr. Bancroft moved that the bill be referred to the committee on judiciary with instructions to inquire into the advisability of investing \$80,000 in a jute plant.

A division was called for, and the motion was defeated—13 to 15.

Pending further consideration of the bill, on motion of Mr. Denny, the senate adjourned.

O. P. MILLER,  
Chief clerk.

## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

The senate was called to order at 2 o'clock P. M. by the president. The roll was called, and the absentees were Messrs. Maxwell and McGinn.

Mr. McGinn was granted leave of absence.

The senate proceeded with the consideration of house bill No. 1.

Mr. Willis moved that house bill No. 1 be referred to a special committee composed of Messrs. Bancroft, Weatherford, Denny, Butler, and Cross, with instructions to examine the bill and by 10 o'clock tomorrow morning report to the senate whether or not the provisions of the bill properly guard the appropriations therein provided for.

Messrs. Cogswell and Veatch called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Willis, Woodard, and Mr. President—15.

Nays—Messrs. Beckley, Blackman, Cogswell, Huston, Matlock, McAlister, Myers, Raley, Smith, Vanderburg, Veatch, and Weatherford—12.

Absent—Messrs. Maxwell, McGinn, and Steiwer—3.

The motion prevailed, and the bill was referred to the special committee.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate amendment to house bill No. 39.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 18, the same having been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 316, the same having been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.  
D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bills Nos. 18 and 316, and soon thereafter that he had signed the same.

The president announced that he had appointed as a committee on mileage, Messrs. Cross, Dodson, and Weatherford.

Also under senate resolution No. 23, to whom will be referred senate bill No. 53, Messrs. Denny, Steiwer, and Raley.

Mr. Cameron, chairman of the committee on corporations, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred house bill No. 160, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

T. CAMERON,  
Chairman.

House bill No. 160 was passed to a third reading.

Mr. Cameron, chairman of the committee on corporations, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred house bill No. 372, beg leave to report that they have had the same under

consideration, and respectfully report it back to the senate with the recommendation that it do pass.

T. CAMERON,  
Chairman.

House bill No. 372 was passed to a third reading.

Mr. Vanderburg, chairman of the committee on agriculture, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on agriculture, to whom was referred senate bill No. 181, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. S. VANDERBURG,  
Chairman.

On motion of Mr. Huston, senate bill No. 181 was ordered engrossed and to third reading tomorrow.

Mr. Vanderburg, chairman of the committee on agriculture, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on agriculture, to whom was referred house bill No. 64, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

AMENDMENT.

Section 4 of printed bill, line 8, after the word "the," insert "state dairy and."

AMENDMENT.

Section 6, line 4, after the word "the," insert "state dairy and."

AMENDMENT.

Section 8, line 2, after the word "state," insert "dairy and."

## AMENDMENT.

Section 8, line 9, after the word "legislature," insert the following: "The person elected as such commissioner shall be well qualified in dairy matters and qualified to give theoretical and practical instruction in dairying; and it shall be the duty of such commissioner to give practical and theoretical instruction in dairy matters whenever and wherever opportunity offers within the state, and to collect and disseminate such information as is calculated to develop the dairy industry within the state."

W. S. VANDERBURG,  
Chairman.

On motion of Mr. Vanderburg, the report was adopted.

On motion of Mr. Vanderburg, house bill No. 64 was ordered to third reading tomorrow.

Mr. Willis, chairman of the committee on assessments, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1893. }

*Mr. President:*

Your committee on assessments, to whom was referred senate bill No. 13, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

Strike out all after the enacting clause and insert the following:

Section 1. That section 2789 of the laws of Oregon, as compiled by W. Lair Hill, be and the same is hereby amended so as to read as follows:—

Section 2789. It shall be the duty of the governor, secretary of state, and state treasurer, acting jointly, in each year immediately after the assessments of property have been equalized by the state board of equalization, to ascertain by computation, as hereinafter provided, the total amount of revenue necessary for state purposes; also the resulting rate of taxation in mills and decimals of a mill to be levied upon each dollar of assessable property subject to taxation necessary to raise such revenue, also the rate of taxation in mills and decimals of a mill upon each dollar of assessable property necessary to raise the sum of thirty thousand dollars, which last

named sum so to be raised each year shall be used only for the purpose of defraying the current expenses of the state militia, and said sums so to be raised are hereby appropriated for such purposes only; they shall also each year determine the rate of taxation in mills and decimals of a mill upon each dollar of taxable property in the state necessary to raise the sum of twenty-two thousand dollars, to be used only for university purposes, and said last above named sum so to be raised each year is hereby appropriated for such purpose only; and it shall be the duty of the aforesaid state officers, at the time they make such computation and levy, to apportion the sums so to be raised for state, military, and university purposes among the several counties in proportion to the amount of real and personal property subject to taxation therein, as shown by the assessment rolls of the several counties after the same have been equalized by the state board of equalization. All such taxes to be collected in the same manner as other taxes are collected.

Section 2. That section 2790 of the laws of Oregon as compiled by W. Lair Hill be amended so as to read as follows:—

Section 2790. In computing the amount of revenue necessary for state purposes, the aforesaid state officers shall proceed as follows:

First. Prepare a tabular statement consisting of all the items of expense given separately to which the state will be subject the next ensuing fiscal year under existing laws; also all items of deficiency left over from the previous year, the payment of which has been authorized by law; and also in each even year the estimated expenses of one biennial session of the legislative assembly.

Second. From the sum total of the aforesaid items shall be deducted any surplus, in excess of five thousand dollars remaining in the treasury, from all funds, however derived, if not applied by law to some special purpose.

Third. The remainder so obtained shall be the total amount of revenue to be raised the next ensuing year for state purposes, (which are not provided for by special tax duly authorized by law) and such remainder shall be apportioned among the several counties according to the total amount of taxable property in each, and be levied and collected in each of said counties in the manner other taxes are levied and collected, and paid over to the state treasurer.

Section 3. The county courts of the several counties of this state are hereby required each year to compute the amount raised in the year 1892 upon the five mills levy for school purposes per capita of the school children enrolled in each of the several counties, and to levy each year, at the same time they levy other taxes, upon all

taxable property in their county a sufficient tax in mills and decimals of a mill to raise the same amount per capita for the school children in each county as shown to be enrolled by the last preceding school census, as was raised per capita in the year 1892 upon the five mills tax for school purposes as now provided by law, which tax shall be in lieu of the five mills tax now required by law to be collected for school purposes, and shall be collected at the same time, in the same manner and by the same officers that other taxes are collected.

Section 4. That sections 2593, 2673, 2786, 2785, 3772, and 3773 of the laws of Oregon as compiled by W. Lair Hill, and section 1 of an act entitled "An act to amend sections 1, 2, and 3, and to repeal section 4 of an act entitled 'An act to aid in the support of the university of Oregon,' approved October 17, 1882," filed in the office of the secretary of state, February 25, 1889, and all laws and acts and parts of laws and acts in conflict herewith be and the same are hereby repealed.

Section 5. Inasmuch as great necessity exists for the changing of the manner of raising the funds necessary for school, military, and university purposes, this act shall take effect and be in force from and after its approval by the governor.

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, the report was adopted.

On motion of Mr. Willis, senate bill No. 13 was ordered engrossed and to third reading tomorrow.

The chief clerk was instructed to have the bill printed as amended.

On motion of Mr. Dodson, the courtesies of the senate were extended to Hon. M. M. Olmstead, and he was invited to a seat within the bar of the senate.

Mr. Cogswell, chairman of the committee on federal relations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on federal relations, to whom was referred senate bill No. 24, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—



## AMENDMENT.

First. Insert the word and figure "section 1" before the word "that," in line 1, immediately after the enacting clause.

## AMENDMENT.

Second. Strike out the word and figures, "and section 2563," after the figures "2562," in line 1.

## AMENDMENT.

Third. Strike out the word and figure "section 1," in line 5, original bill (line 3, printed bill.)

## AMENDMENT.

Fourth. After the figures "2563," in line 16, original bill, insert the words and figures, "chapter XIV., title IX., of Hill's annotated laws of Oregon."

## AMENDMENT.

Fifth. Strike out the word "assume," and insert in lieu thereof the words "as soon" in line 19, original bill; also strike out in same line the word "practical," and insert in lieu thereof the word "practicable."

## AMENDMENT.

Sixth. Insert the words "state of" after the word "of" at the end of line 2, original bill, being the last word "of" in line 5, printed bill.

C. A. COGSWELL,  
Chairman.

On motion of Mr. Cogswell, the report was adopted.

On motion of Mr. Cogswell, senate bill No. 24 was ordered engrossed and to third reading tomorrow.

Mr. Woodard moved that the vote by which senate joint memorial No. 2 was adopted be reconsidered.

Messrs. Cogswell and Vanderburg called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, Steiwer, Willis, Woodard, and Mr. President—16.

Nays—Messrs. Beckley, Blackman, Butler, Cogswell, Huston, Mat-

lock, McAlister, Myers, Raley, Smith, Vanderburg, Veatch, and Weatherford — 13.

Absent — Mr. McGinn — 1.

So the vote by which senate joint memorial No. 2 was adopted was reconsidered.

Mr. Denny moved to amend by striking out the word "fifty" and inserting the words "five hundred and one" in lieu thereof.

Messrs. Cogswell and Weatherford called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Denny, Gates, Matlock, Maxwell, McAlister, Vanderburg, Willis, and Mr. President — 8.

Nays — Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Hayes, Hirsch, Huston, Looney, Myers, Raley, Smith, Steiwer, Veatch, Weatherford, and Woodard — 21.

Absent — Mr. McGinn — 1.

The amendment was lost.

The question was on the adoption of the memorial.

Messrs. Veatch and Weatherford called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Cogswell, Huston, Matlock, McAlister, Myers, Raley, Smith, Vanderburg, Veatch, and Weatherford — 12.

Nays — Messrs. Alley, Bancroft, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, Steiwer, Willis, Woodard, and Mr. President — 17.

Absent — Mr. McGinn — 1.

The senate refused to adopt the memorial.

Mr. Dodson, chairman of the committee on counties, submitted the following report: —

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on counties, to whom was referred house bill No. 169, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. M. DODSON,  
Chairman.

On motion of Mr. Dodson, house bill No. 169 was ordered to third reading tomorrow.

By unanimous consent, Mr. Vanderburg introduced senate concurrent resolution No. 19:—

*Resolved by the Senate, the House concurring,* That the senators and representatives from Oregon in congress be and are hereby instructed to use all honorable means to secure the passage of a law providing for the free coinage of silver.

*Resolved,* That a copy of this resolution be sent to each of Oregon's senators and representatives in congress.

Mr. Vanderburg moved the adoption of the resolution.

Messrs. Veatch and Vanderburg called for the ayes and noes.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Beckley, Blackman, Butler, Hayes, Huston, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Vanderburg, Veatch, and Weatherford—15.

Nays—Messrs. Bancroft, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hirsch, Steiwer, Willis, Woodard, and Mr. President—12.

Absent—Messrs. Denny, Looney, and McGinn—3.

The resolution was adopted.

Mr. Crosno, chairman of the committee on education, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1893. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 194, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. B. CROSNO,  
Chairman.

On motion of Mr. Crosno, house bill No. 194 was ordered to third reading tomorrow.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 209,—a bill for an act to amend an act of the legislative assembly of the state of Oregon, filed in the office of

the secretary of state February 18, 1891, entitled an act to establish and incorporate the Port of Portland, and to provide for the improvement of the Willamette and Columbia rivers in said port and between said port and the sea.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 209 was read first time and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 142,—a bill for an act to amend section 2344 of Hill's annotated laws of Oregon, compiled and annotated by W. Lair Hill, relating to sheriffs' fees for collecting taxes.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 142 was read first time and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 39, the same having been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bill No. 39, and soon thereafter announced that he had signed the same.

Senate bill No. 203 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cogswell, Crosno, Cross, Dodson, Gates, Hirsch, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—23.

Nays—None.

Absent—Messrs. Butler, Cameron, Denny, Hayes, Huston, McGinn, and Veatch—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 199 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Beckley, Blackman, Butler, Cogswell, Crosno, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—23.

Nays—Mr. Veatch—1.

Absent—Messrs. Bancroft, Cameron, Cross, Denny, Huston, and McGinn—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 97 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Butler, Crosno, Cross, Gates, Hirsch, Huston, Matlock, Maxwell, Myers, Raley, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—17.

Nays—Messrs. Bancroft, Beckley, Cameron, Cogswell, Dodson, Hayes, Looney, McAlister, Smith, and Steiwer—10.

Absent—Messrs. Alley, Denny, and McGinn—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 189 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—26.

Nays—None.

Absent—Messrs. Denny and McGinn—2.

Not voting—Messrs. Beckley and Veatch—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has reconsidered the vote whereby senate bill No. 88 was passed and requests that the same be returned to the house for its consideration.

D. C. SHERMAN,  
Chief clerk.

Mr. Cross moved to lay senate bill No. 88 on the table.

The motion was lost.

On motion of Mr. Cogswell, the request was granted and senate bill No. 88 was ordered returned to the house.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate joint memorial No. 2, beg leave to report the same back to the senate.

P. P. GATES,  
Chairman.

Senate bill No. 209 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Cameron, Crosno, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—21.

Nays—Messrs. Cogswell, Dodson, and Veatch—3.

Absent—Messrs. Alley, Butler, Cross, Denny, Hayes, and McGinn—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 134 coming on for third reading, on motion of Mr. Willis, was laid on the table.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 88, beg leave to report the same back to the senate.

P. P. GATES,  
Chairman.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 357,—a bill for for an act to amend sections 2789 and 2790 of the laws of Oregon as compiled by W. Lair Hill, relating to the levy of taxes for state purposes; and to repeal sections 3772 and 3773 of the laws of Oregon as compiled by W. Lair Hill, relating to the raising of revenue for military purposes, and to repeal section 1 of an act entitled "An act to amend sections 1, 2, and 3, and to repeal section 4 of an act entitled 'An act to aid in the support of the university of Oregon, approved October 17, 1882,'" filed in the office of the secretary of state, February 25, 1889, relating to raising a revenue for the support of the state

university, and providing for the raising of said military and university funds by a levy to be made sufficient to raise a gross sum for each, instead of a fixed rate of taxation.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 357 was read first time and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 110,—a bill for an act to provide for a more effective protection of fish, game, and song birds; for the appointment of a fish and game commission, and to define its powers and duties; and to repeal an act entitled an act to provide for the propagation and preservation of salmon and food fishes in the public waters of the state of Oregon, including so much of the streams which form common boundaries between said state and adjacent territories, and appropriating money therefor; also for the appointment of a fish commission, approved February 18, 1887.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 110 was read first time and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 203.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 203 was ordered enrolled.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 243,—a bill for an act to amend an act entitled an act to amend section 2472, and to repeal sections 2473, 2476, 2477, 2478, and that part of sections 2474 and 2475, title IV., chapter XIII., relating to salaries of county treasurers of the counties of Gilliam and Klamath, as compiled by W. Lair Hill, and to repeal section 9 of an act entitled an act to create the county of Malheur, in the state of Oregon, and to fix the salaries of county judge and treasurer of said county, approved February 27, 1887, filed in the office of the secretary of state, February 21, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 243 was read first time and passed to second reading without question.

The committee on engrossed bills submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills No. 211, 85, and 50, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

Senate bill No. 172 coming on for third reading, was read third time.

Mr. Blackman moved that further consideration of senate bill No. 172 be indefinitely postponed.

The motion was lost.

By unanimous consent, Mr. Dodson requested the clerk to insert the enacting clause, and the same was inserted.

On motion of Mr. Steiwer, senate bill No. 172 was laid on the table.

By unanimous consent, Mr. Alley submitted the following resolution:—

SENATE RESOLUTION NO. 28.

Whereas our first assistant chief clerk, D. W. Coolidge, has been a faithful and efficient officer; in appreciation of his services, therefore be it

*Resolved*, That D. W. Coolidge shall receive the same per diem as that voted to the reading clerk.

Mr. Maxwell moved to amend by inserting also the name of A. W. Severance, calendar clerk.

Mr. Cross moved to lay the resolution on the table.

The motion prevailed, and the resolution went to the table.

Mr. Dodson at this time arose to a question of privilege.

On being requested to state his question of privilege, he replied as follows:—

*Mr. President:* As family physician to the Oregon state senate, I arise to a point of privilege for the purpose of presenting to Senator Cameron on behalf of the senators upon this floor, and also on behalf of the lady clerks, this beautiful bouquet in consideration of his valuable services as senator from Jackson county, and also his valuable services at home. Notwithstanding the fact that his time has been taken up with his business cares and legislative work, he has not been negligent of home duties, as the news has just reached us that he is this morning the father of a bouncing boy; and it is the sense of this senate that the senator, though somewhat grayed by the hand of Time, have many more coupons attached to his bonds of matrimony. I hope, senator, you may accept this memento of esteem from the senate of Oregon, and that your facilities to do good may never grow less.

Mr. Cameron replied in a manner appropriate to the occasion.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 92,—a bill for an act to regulate the running at large of stock.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 92 was read first time and passed to second reading without question.

Senate bill No. 184 coming on for third reading, was read third time.

By unanimous consent, Mr. Weatherford submitted the following amendment:—

**AMENDMENT.**

In section 5 strike out all after the word “shall” and insert the words “not apply to the present incumbent of any office.”

There being no objection, the chief clerk was instructed to so amend the bill.

The question being, “Shall the bill pass?” the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Butler, Cogswell, Crosno, Hirsch, Looney, Matlock, McAlister, Myers, Smith, Vanderburg, Veatch, and Weatherford—13.

Nays—Messrs. Alley, Bancroft, Cameron, Cross, Dodson, Gates, Hayes, Huston, Maxwell, Raley, Steiwer, Willis, Woodard, and Mr. President—14.

Absent—Messrs. Blackman, Denny, and McGinn—3.

So the bill failed to pass.

Senate bill No. 205 coming on for third reading, was read third time.

The question being, “Shall the bill pass?” the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—24.

Nays—Messrs. Veatch and Weatherford—2.

Absent—Messrs. Blackman, Denny, McGinn, and Myers—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Raley, the senate adjourned.

O. P. MILLER,  
Chief clerk.

## EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

The senate was called to order at 7 o'clock P. M. by the president. The roll was called, and all the senators were present except Messrs. Bancroft, Cameron, McGinn, and Weatherford.

Senate bill No. 195 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were;

Messrs. Alley, Beckley, Blackman, Butler, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—24.

Nays—None.

Absent—Messrs. Bancroft, Cameron, Hayes, Huston, McGinn, and Weatherford—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 215 coming on for third reading.

On motion of Mr. Willis, senate bill No. 215 was laid on the table.

Senate bill No. 182 coming on for third reading, was read third time.

By unanimous consent, Mr. Blackman moved to amend by striking out after the words "Morrow county" the sum "\$800," and inserting in lieu thereof "\$900."

There being no objection, the clerk inserted the amendment.

By unanimous consent, Mr. Vanderburg moved to amend by striking out after the words "Coos county" the sum "\$1,200" and inserting in lieu thereof "\$800."

There being no objection, the clerk inserted the amendment.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—26.

Nays—None.

Absent—Messrs. Cameron, Cogswell, McGinn, and Weatherford—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 122 coming on for third reading, was read third time.

By unanimous consent, Mr. Willis submitted the following amendments:—

#### AMENDMENTS.

In line 3, section 13, strike out the word “whether;” also in line 4, section 13, strike out the words “or the general laws of the state;” also in line 5, section 13, after the word “thereof,” strike out the balance of the section.

There being no objection, the clerk was instructed to insert the amendments.

The question being, “Shall the bill pass?” the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—26.

Nays—None.

Absent—Messrs. Cameron, Cogswell, McGinn, and Weatherford—4.

So the bill passed.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 186 coming on for third reading, was read third time.

The question being, “Shall the bill pass?” the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Butler, Cogswell, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Vanderburg, and Veatch—14.

Nays—Messrs. Bancroft, Crosno, Denny, Dodson, Gates, Hayes, Maxwell, Steiwer, Willis, Woodard, and Mr. President—11.

Absent—Messrs. Cameron, Cross, McGinn, and Weatherford—4.

Not voting—Mr. Alley—1.

So the bill failed to pass.

Senate bill No. 196 coming on for third reading, on motion of Mr. Cogswell, was laid on the table.

Senate bill No. 84 coming on for third reading, on motion of Mr. Myers, was laid on the table.

Senate bill No. 85 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—26.

Nays—None.

Absent—Messrs. Cameron, Cross, McGinn, and Weatherford—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 304,—a bill for an act to amend sections 40, 72, and 169 of an act filed in the office of the secretary of state, February 19, 1891, entitled "An act to incorporate the city of Portland."

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 304 was read first time and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 332,—a bill for an act to create and aid Southern Oregon district agricultural societies, and to define their duties and appropriate money therefor.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 332 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 41 with the amendment hereto annexed.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

AMENDMENT.

Amend section 8 by adding thereto the following words: "*Provided, however,* that said recorder shall not receive the additional compensation of thirty-three and one third per cent allowed the county clerks as provided by the act entitled an act to amend an act entitled an act to amend sections 2, 3, 4, 5, 6, 7, and 8, and to repeal section 10 of an act approved October 29, 1874, entitled an act to repeal sections 2 and 4 of an act approved October 23, 1872, entitled an act to amend chapter XVIII. of the general laws, concerning fees of officers, and to amend an act entitled an act to amend chapter XVIII. of the general laws, concerning fees of officers, approved October 24, 1870, and section 12 of an act approved October 24, 1864, entitled an act to prescribe the fees of certain officers and persons, and section 4 of an act approved January 12, 1859, entitled an act to amend an act entitled an act to regulate the fees of certain officers and other persons; and section 1 of an act approved October 12, 1864, entitled an act to fix the legal distances from the several county seats in this state to the penitentiary at the city of Portland, and regulate the fees of sheriffs for conveying convicts to the penitentiary; and all of an act approved October 29, 1870, entitled an act to regulate the fees of officers in certain counties, and all of an act approved October 28, 1872, entitled an act to amend an act entitled an act to regulate fees of officers in certain counties and to amend section 5 of an act approved October 21, 1864, entitled an act to amend an act

entitled an act to provide for the collection of taxes, and to repeal an act approved October 19, 1860, and to prescribe the fees of clerks and sheriffs, approved October 26, 1882, approved February 23, 1885, being section 2343 of chapter 11. of title I. of Hill's annotated laws of Oregon.

On motion of Mr. Raley, senate bill No. 41 was laid on the table.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 1.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 1 was ordered enrolled.

Mr. Looney, chairman of the committee on commerce, submitted the following report:—

#### REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 10, 1893. }

*Mr. President:*

Your committee on commerce, to whom was referred senate bill No. 213, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

#### AMENDMENT.

In section 7, line 1, after the word "case," insert the word "any"; also in section 7, line 12, after the word "injured," strike out the words "of any."

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, the report was adopted.

On motion of Mr. Looney, senate bill No. 213 was ordered engrossed and to third reading tomorrow.

Mr. Hirsch, chairman of the committee on ways and means, submitted the following report:—



## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on ways and means, to whom was referred senate bill No. 192, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

EDWARD HIRSCH,  
Chairman.

On motion of Mr. Hirsch, senate bill No. 192 was ordered engrossed and to third reading tomorrow.

Senate bill No. 211 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Crosno, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Nays—None.

Absent—Messrs. Cameron, Cross, Hayes, Maxwell, McGinn, Raley, and Smith—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 274,—a bill for an act to incorporate the city of Salem.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 274 was read first time.

Mr. Looney moved that the rules be suspended and that house bill No. 274 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Huston, Looney, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Blackman, Cameron, Cross, Hirsch, Matlock, Maxwell, and McGinn—7.

So the rules were suspended and house bill No. 274 was read second time by title only.

On motion of Mr. Looney, the chief clerk was instructed to strike out after the words "chapter I," "Be it enacted by the legislative assembly of the state of Oregon," it appearing twice.

The same were stricken out.

Mr. Looney moved that the rules be further suspended and that house bill No. 274 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Crosno, Denny, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—24.

Absent—Messrs. Cameron, Cogswell, Cross, Dodson, Maxwell, and McGinn—6.

So the rules were suspended and house bill No. 274 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Crosno, Denny, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Absent—Messrs. Cameron, Cross, Dodson, Maxwell, and McGinn—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Denny, the courtesies of the senate were extended to Hon. F. P. Mays, and he was invited to a seat within the bar of the senate.

On motion of Mr. Steiwer, the courtesies of the senate were extended to Judge Blakeley, and he was invited to a seat with the bar of the senate.

Messrs. Myers and Maxwell were excused from further attendance until Monday.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 11,—a bill for an act to amend a law enacted by the legislative assembly of the state of Oregon in the year 1891, and entitled an act to authorize the cities of Portland, East Portland, and Albina to construct, purchase, or acquire by condemnation or other means, one or more bridges across the Willamette river between the city of Portland and the city of East Portland, in Multnomah county, Oregon, which bridge or bridges shall forever be free to all pedestrians and all classes of vehicles and traffic, except railways and street railways, and to authorize the committee named in said act to purchase and operate a ferry.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 11 was read first time and passed to second reading without question.

Mr. Willis moved that the rules be suspended and that house bill No. 11 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Crosno, Denny, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—24.

Absent—Messrs. Cameron, Cross, Dodson, Maxwell, McGinn, and Raley—6.

So the rules were suspended and house bill No. 11 was read second time by title only.

On motion of Mr. Willis, the bill was referred to a special committee consisting of the senators from Multnomah county.

Mr. Alley, chairman of the committee on fishing industries, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on fishing industries, to whom was referred house bill No. 120, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. F. ALLEY,  
Chairman.

House bill No. 120 was ordered to third reading tomorrow.  
The committee on claims submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on claims, to whom was referred house bill No. 63, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. W. STEIWER,  
J. MYERS,  
Committee.

House bill No. 63 was ordered to third reading tomorrow.  
The committee on claims submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on claims, to whom was referred house bill No. 285, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. W. STEIWER,  
J. MYERS,  
Committee.

House bill No. 285 was ordered to third reading tomorrow.  
The committee on claims submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on claims, to whom was referred house bill No. 24, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. W. STEIWER,  
J. MYERS,  
Committee.

House bill No. 24 was ordered to third reading tomorrow.

Senate bill No. 168 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Butler, Cogswell, Crosno, Denny, Gates, Hayes, Hirsch, Huston, Matlock, Smith, Steiwer, Willis, and Mr. President—15.

Nays—Messrs. Beckley, Looney, Myers, Vanderburg, Veatch, and Weatherford—6.

Absent—Messrs. Blackman, Cameron, Cross, Dodson, Maxwell, McAlister, McGinn, and Raley—8.

Not voting—Mr. Woodard—1.

So the bill failed to pass.

On motion of Mr. Huston, the senate adjourned.

O. P. MILLER,  
Chief clerk.

SATURDAY, FEBRUARY 11, 1893.

## MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1893. }

The senate was called to order at 10 o'clock A. M. by the president.

The roll was called and the absentees were Senators Cameron, Maxwell, McGinn, and Myers.

On motion of Mr. Willis, the reading of the journal was dispensed with.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 71, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

AMENDMENT.

In section 2, line 1 of printed bill, after the word "districts," insert the words "upon the petition as hereinafter provided"; also in section 2, line 4 of printed bill, after the word "appointed," insert the words "*provided*, that no lumber inspector shall be appointed for any lumber district, except upon a petition in writing signed by at least twenty persons who are residents of, or have their place of business within the district for which such inspector is asked, and whose principal business or occupation is the getting out or selling of sawlogs."

AMENDMENT.

In section 3, line 8 of printed bill, after the words "successor thereto," insert the words "upon a like petition, signed by at least twenty such master loggers, it shall be the duty of the governor to at once remove such lumber inspector."

AMENDMENT.

In section 7, line 1 of printed bill, after the word "aforesaid," insert the words "where a lumber inspector has been appointed."

AMENDMENT.

In section 8, line 8 of printed bill, strike out the words "five hundred dollars" and insert in lieu thereof the words "one hundred dollars"; also in section 8, line 9 of printed bill, strike out the words "one thousand dollars" and insert in lieu thereof the words "five hundred dollars."

O. N. DENNY,  
Chairman.

On motion of Mr. Cross, the report was adopted.

On motion of Mr. Cross, senate bill No. 71 was ordered engrossed and to third reading tomorrow.

On motion of Mr. Matlock, the courtesies of the senate were extended to Judge Powers, and he was invited to a seat within the bar of the senate.

Mr. Blackman moved that when the senate adjourn it adjourn to meet at 2 o'clock P. M. Monday.

Mr. Willis moved to strike out "2 P. M. Monday" and insert in lieu thereof "1:30 P. M. today."

The amendment was lost.

The original motion prevailed.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 16, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Alley, house bill No. 16 was ordered to third reading tomorrow.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 131, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

O. N. DENNY,  
Chairman.

On motion of Mr. Cross, senate bill No. 131 was ordered engrossed and to third reading tomorrow.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 38 and 213, the same having been reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.  
D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bills Nos. 38 and 213, and soon thereafter that he had signed them.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 195.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 195 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 173.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendment to house bill No. 274.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has reconsidered the vote whereby it passed senate bill No. 41, and requests that said bill be returned for its consideration.

D. C. SHERMAN,  
 Chief clerk.

On motion of Mr. Raley, senate bill No. 41 was taken off of the table.

On motion of Mr. Raley, the senate granted the request from the house, and senate bill No. 41 was returned for their consideration.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 10, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 88, with the following amendment:—

## AMENDMENT.

Strike out section 99 and section 107.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

On motion of Mr. Cross, the senate concurred in house amendments to senate bill No. 88.

On motion of Mr. Bancroft, the janitor was instructed to keep the temperature of the room at 66 degrees.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 94, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Alley, senate bill No. 94 was ordered engrossed and to third reading tomorrow.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 368, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Weatherford, the bill was ordered to third reading tomorrow.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 30, beg leave to report that we have had the same under con-

11, 1893.

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to the senate with the

O. N. DENNY,  
Chairman.

pending tomorrow.

Committee appointed to  
agriculture, submitted

AMBER,

EM, Oregon,

February 10, 1893.

on:

igate the accounts and  
eg leave to submit the

ned the vouchers and  
riation made to the said  
that the money has been  
and that it is fully and

to debts.

received from the state of  
terms of the act appro-  
specific purpose; and from  
the sum of \$143,070.86.  
premiums on agricultural  
mechanics, works of art,  
with the law, the sum  
the debts of the Oregon  
\$199.27, and interest on  
amounting to \$7,056, and for

other premiums, repairs on buildings and fences on grounds, improvements thereon, and the necessary expenses incidental to the conduct of the annual fairs, and the preservation of the buildings and property during the eight years of this management the sum of \$116,624.04.

Your committee also finds that there remains an indebtedness which is a lien upon the lands aforesaid of about \$11,000. That in 1891 the state agricultural society, in consideration of assuming all the liabilities of said society, at the date of transfer deeded to the state board of agriculture in fee simple their said lands consisting of one hundred and fifty-eight acres, together with all the improvements thereon, and that now said land is the property of the people of the state of Oregon, and worth in our judgment at least one hundred thousand dollars.

Your committee visited the Oregon state fair grounds and carefully examined the property thus acquired. There are two electric car lines entering the grounds terminating near the pavilion. The grounds are well laid out and arranged for fair purposes; but many of the buildings are old and inadequate to the demands made upon them during the annual fairs. New horse, cattle, sheep, and swine stalls are needed. The fences need to be replaced by new ones. The water works system put in at a large expense has given out and must soon be replaced. Your committee desires to say that from the investigation we have made it appears that the board has been forced during its entire management to use the most rigid economy in order to enable them to pay off the indebtedness and interest owing by the Oregon state agricultural society. That all their surplus earnings have been used for this purpose, which has compelled the board to defer making the necessary improvements above mentioned.

Therefore your committee would respectfully recommend, in view of the fact that said land and improvements now belong to the state, that an adequate appropriation be made with which to make such improvements as are absolutely necessary.

J. B. LOONEY,

Chairman on the part of the senate.

On motion of Mr. Looney, the report was referred to the committee on ways and means.

Mr. Bancroft, chairman of the special committee to whom was referred house bill No. 1, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your special committee, to whom was referred house bill No. 1, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

## AMENDMENT.

In section 1, lines 1 and 2 of engrossed bill, strike out the words "one hundred and sixty thousand" and insert in lieu thereof the words "one hundred and ninety thousand."

## AMENDMENT.

In section 2, line 2 of engrossed bill, strike out the words "eighty thousand" and insert in lieu thereof the words "forty thousand"; also section 2, line 5 of engrossed bill, after the words "purchase of jute," insert the words "and other necessary material"; also in same section, in line 6, strike out the words "for the penitentiary"; also in line 9 of section 2, after the word "jute," insert the words "and other necessary material"; also in section 2, line 22, the last line of said section, after the last word "jute," add the following words: "and other necessary material."

## AMENDMENT.

Amend section 1, last line of engrossed bill, by striking out the words "general state fund," and insert in lieu thereof the words "the revolving fund provided for in section 2 of this act."

## AMENDMENT.

Amend section 2, line 1, after the word "dollars," insert the words "and the overplus, if any there be, provided for in section 1 of this act."

F. A. BANCROFT,  
Chairman.

On motion of Mr. Bancroft, the report was adopted.  
House bill No. 1 having been read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Cross, Denny, Dodson, Hirsch, Huston, McAlister, Raley, Smith, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—20.

Nays—Messrs. Matlock and Steiwer—2.

Absent—Messrs. Cameron, Crosno, Gates, Hayes, Looney, Maxwell, McGinn, and Myers—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 81, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

#### AMENDMENT.

That all of said bill after the enacting clause be stricken out and the following inserted in lieu thereof:

Section 1. There shall be appointed by the governor, removable at his pleasure, four health officers—one to reside at Ashland, one at Baker City, one at Pendleton, and one at Umatilla Junction—who shall be physicians of good standing, graduates of regularly chartered and legally constituted medical colleges of the United States, and of not less than ten years' experience in the practice of their profession, whose duty shall be to board every railroad train carrying passengers entering the state of Oregon at the points at which they are located, to make examinations as to whether any passenger or passengers are afflicted with any contagious or infectious disease.

Section 2. If the said health officers shall find any person or persons are so afflicted, they shall cause them to be removed from such train, and take them to some suitable place for medical treat-

ment; and they shall order the car or train of cars carrying such person or persons to be subjected to fumigation under their personal supervision that thorough disinfection shall be had.

Section 3. The above health officers, before entering upon the duties of their office, shall take the oath prescribed for state officers by the constitution of the state of Oregon. The governor, after such oath of office has been taken, shall issue to each a certificate of appointment, which, together with a certificate of the fact that they have executed a bond to the state, conditioned that they will diligently and faithfully perform the duties of said office, when approved by the governor shall be their commission to exercise the powers and perform the duties of health officer as herein prescribed.

Section 4. The salary of the health officer at Baker City shall be \$1,000 per annum, and the salary of the other health officers above named shall be \$600 per annum each, paid quarterly out of the state treasury as other state officers are paid.

Section 5. It shall be the duty of all health officers of the state to communicate to the governor all sanitary conditions or information that may be of value to the inhabitants of the state, and the governor shall be empowered to declare quarantine and to appoint additional assistants when in his judgment the same may become necessary for the better protection of the inhabitants of the state, or to prevent the introduction or spread of cholera or other contagious or infectious diseases.

O. N. DENNY,  
Chairman.

On motion of Mr. Dodson, the report was adopted.

On motion of Mr. Dodson, senate bill No. 81 was ordered engrossed and to third reading tomorrow.

Mr. Alley moved to amend by ordering senate bill No. 81 printed after it was engrossed.

The motion prevailed.

Mr. Bancroft, chairman of the committee on military affairs, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1893. }

*Mr. President:*

Your committee on military affairs, to whom was referred house bill No. 116, beg leave to report that we have had the same under

consideration, and respectfully report it back to the senate with the recommendation that it do pass.

F. A. BANCROFT,  
Chairman.

On motion of Mr. Bancroft, house bill No. 116 was ordered to third reading tomorrow.

Mr. Bancroft, chairman of the committee on military affairs, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1893. }

*Mr. President:*

Your committee on military affairs, to whom was referred house bill No. 117, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

F. A. BANCROFT,  
Chairman.

On motion of Mr. Bancroft, house bill No. 117 was ordered to third reading tomorrow.

Mr. Bancroft, chairman of the committee on military affairs, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1893. }

*Mr. President:*

Your committee on military affairs, to whom was referred house bill No. 44, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

F. A. BANCROFT,  
Chairman.

On motion of Mr. Bancroft, house bill No. 44 was ordered to third reading tomorrow.

Mr. Huston moved that the vote by which senate bill No. 97 passed be reconsidered.

On motion of Mr. Huston, the motion to reconsider the vote by which senate bill No. 97 passed was laid on the table.

Mr. Willis, chairman of the special committee consisting of the



senators from Multnomah county, to whom was referred house bill No. 11, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1893. }

*Mr. President:*

Your special committee, to whom was referred house bill No. 11, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

Add to section 6 the following: "*provided*, that said committee shall collect uniform tolls on each and all of the bridges of which it shall have charge, for the passage over the same of street-cars and other vehicles, except bicycles, at such rates as the county court of Multnomah county shall authorize, which tolls in the aggregate shall not exceed the amount necessary to pay the expenses incident to the operation and maintenance of such bridges and the interest on the bonds which shall have been issued to raise the funds for the construction and acquisition of said bridges."

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, the report was adopted.

Mr. Willis moved that the rules be suspended and that house bill No. 11 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Crosno, Cross, Dodson, Hayes, Hirsch, Huston, Looney, Matlock, Raley, Smith, Steiwer, Weatherford, Willis, Woodard, and Mr. President—19.

Nays—Messrs. Beckley, Cogswell, McAlister, Vanderburg, and Veatch—5.

Absent—Messrs. Cameron, Denny, Gates, Maxwell, McGinn, and Myers—6.

So the rules were suspended and house bill No. 11 was read third time and placed on final passage.

Mr. Denny asked unanimous consent to amend house bill No. 11 by striking out "\$300,000" and inserting in lieu thereof "\$250,000."

Mr. Willis objected.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Cross, Denny, Dodson, Hayes, Hirsch, Steiwer, Veatch, Weatherford, Willis, Woodard, and Mr. President—17.

Nays—Messrs. Huston, Matlock, McAlister, Raley, Smith, Vanderburg—6.

Absent—Messrs. Cameron, Crosno, Gates, Looney, Maxwell, McGinn, and Myers—7.

So the bill passed.

There being no objections, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 218,—a bill for an act for the relief of Hon. J. W. Maxwell.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 218 was read first time and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 188,—a bill for an act to repeal an act entitled an act to amend section 3 of an act approved February 25, 1889, entitled an act to amend section 3350, section 3351, section 3353, section 3354, and section 3362, and to repeal section 3359 and section 3360 of title I., chapter XXXVIII. of the miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill, approved February 18, 1891; and to amend section 3352 and section

3353 of the laws of Oregon, as compiled and annotated by William Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 188 was read first time and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 140,—a bill for an act to amend section 2593, on page 1225, of the laws of Oregon, compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 140 was read first time.

Mr. Willis moved that the rules be suspended and that house bill No. 140 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cross, Denny, Dodson, Hayes, Hirsch, Huston, Matlock, McAlister, Raley, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—20.

Nays—Messrs. Cogswell and Veatch—2.

Absent—Messrs. Cameron, Crosno, Gates, Looney, Maxwell, McGinn, Myers, and Smith—8.

So the rules were suspended and house bill No. 140 was read second time by title only.

On motion of Mr. Willis, the bill was referred to the committee on assessments.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 64, 120, 147, 160, 202, 212, and 203, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 282,—a bill for an act to more definitely establish the boundaries of Washington county.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 282 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 280,—a bill for an act to protect the beaver in that part of the state of Oregon embraced in the counties of Malheur and Baker.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 280 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 292,—a bill for an act to change the name of Alsea, in Benton county, state of Oregon, to that of Stanford.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

House bill No. 292 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 41 with the amendment hereto annexed.

## AMENDMENT.

Amend the title of senate bill No. 41 by adding thereto the words "and to provide for the making and transfer of certain records from the office of the county clerk to the office of the recorder of conveyances."

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

On motion of Mr. Raley, the senate concurred in the house amendments transmitted yesterday, and today to senate bill No. 41.

Mr. Steiwer, chairman of the committee on public lands, submitted the following report:—

## REPORT.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 February 11, 1893. }

*Mr. President:*

Your committee on public lands, to whom was referred house bill

No. 206, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

AMENDMENT.

Insert the following at the end of section 2, following the word "provided": "To be paid to the treasurer of said county, upon the filing of the affidavit of the judge of said county, setting forth that the provisions of section 3 of this act have been fully complied with, and that the sum hereby appropriated has been expended by said county in the manner provided for in this act."

W. W. STEIWER,  
Chairman.

On motion of Mr. Steiwer, the report was adopted.

On motion of Mr. Steiwer, house bill No. 206 was ordered to third reading tomorrow.

House bill No. 297 coming on for second reading was read second time and passed to third reading without question.

House bill No. 107 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on claims.

House bill No. 22 coming on for second reading, was read second time.

On motion of Mr. Alley, the bill was referred to the committee on fishing industries.

House bill No. 10 coming on for second reading, was read second time.

On motion of Mr. Alley, the bill was referred to the committee on fishing industries.

House bill No. 376 coming on for second reading, was read second time..

On motion of Mr. Bancroft, the bill was referred to the committee on railroads.

House bill No. 258 coming on for second reading, was read second time and passed to third reading without question.

House bill No. 180 coming on for second reading, was read second time.

On motion of Mr. Alley, the bill was referred to the committee on fishing industries.

House bill No. 149 coming on for second reading, was read second time.

On motion of Mr. Alley, the bill was referred to the committee on judiciary.

House bill No. 320 coming on for second reading, was read second time and passed to third reading without question.

House bill No. 104 coming on for second reading, was read second time and passed to third reading without question.

House bill No. 43 coming on for second reading, was read second time and passed to third reading without question.

House bill No. 34 coming on for second reading, was read second time and passed to third reading without question.

Mr. Smith moved that the rules be suspended and that senate bill No. 213 be made a special order for Monday, February 13th, at 2:30 o'clock P. M.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Butler, Cross, Denny, Hirsch, Matlock, McAlister, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—16.

Nays—Messrs. Bancroft, Cogswell, Dodson, Hayes, Huston, and Veatch—6.

Absent—Messrs. Cameron, Crosno, Gates, Looney, Maxwell, McGinn, and Myers—7.

Not voting—Mr. Alley—1.

House bill No. 21 coming on for second reading, was read second time.

On motion of Mr. Alley, the bill was referred to the committee on fishing industries.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 11, 1893.

*Mr. President:*

I am directed by the speaker to inform you that the house has refused to concur in the senate's amendments to house bill No. 11.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. Willis, the senate receded from the senate amendments to house bill No. 11.

House bill No. 151 coming on for second reading, was read second time and passed to third reading without question.

House bill No. 26 coming on for second reading, was read second time.

On motion of Mr. Alley, the bill was referred to the committee on judiciary.

House bill No. 66 coming on for second reading, was read second time.

On motion of Mr. Alley, the bill was referred to the committee on judiciary.

House bill No. 157 coming on for second reading, was read second time.

On motion of Mr. Alley, the bill was referred to the committee on education.

House bill No. 162 coming on for second reading, was read second time.

On motion of Mr. Cross, the bill was referred to the committee on roads and highways.

House bill No. 100 coming on for second reading, was read second time.

On motion of Mr. Cross, the bill was referred to the committee on roads and highways.

House bill No. 80 coming on for second reading, was read second time.

On motion of Mr. Alley, the bill was referred to the committee on fishing industries.

House bill No. 236 coming on for second reading, was read second time.

On motion of Mr. Huston, the bill was referred to the committee on judiciary.

House bill No. 241 coming on for second reading, was read second time.

On motion of Mr. Huston, the bill was referred to the committee on judiciary.

House bill No. 243 coming on for second reading, was read second time and passed to third reading without question.

House bill No. 209 coming on for second reading, was read second time.

On motion of Mr. Cross, the bill was referred to a special committee consisting of the senators from Multnomah county.

House bill No. 142 coming on for second reading, was read second time.

On motion of Mr. Huston, the bill was referred to the committee on agriculture.

House bill No. 357 coming on for second reading, was read second time.

On motion of Mr. Huston, the bill was referred to the committee on assessments.



House bill No. 92 coming on for second reading, was read second time.

On motion of Mr. Cross, the bill was referred to the committee on agriculture.

House bill No. 110 coming on for second reading, was read second time.

On motion of Mr. Veatch, the bill was referred to the committee on fishing industries.

House bill No. 304 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to a special committee consisting of the senators from Multnomah county.

House bill No. 332 coming on for second reading, was read second time.

On motion of Mr. Alley, the bill was referred to the committee on agriculture.

Mr. Gates moved that the vote by which senate bill No. 184 failed to pass be reconsidered.

The motion prevailed.

Mr. Weatherford moved that senate bill No. 184 be made a special order for Monday at 2 o'clock P. M.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Cross, Denny, Dodson, Gates, Hirsch, Huston, Matlock, McAlister, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—21.

Absent—Messrs. Cameron, Crosno, Hayes, Looney, Maxwell, McGinn, Myers, Raley, and Smith—9.

So the rules were suspended and senate bill No. 184 was made a special order for Monday at 2 o'clock P. M.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 11, 1893.

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 299,—a bill for an act entitled an act fixing the compensation of the sheriff and clerk of Malheur county.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 299 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 294,—a bill for an act to amend section 968 of chapter XII. of title III. of the laws of Oregon, as annotated and compiled by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 294 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate's amendments to house bill No. 1.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 340 and 348, the same having been reported as correctly enrolled.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced he was about to sign house bills Nos. 340 and 348, and soon thereafter that he had so signed.

On motion of Mr. Bancroft, the senate adjourned.

O. P. MILLER,  
Chief clerk.

MONDAY, FEBRUARY 13, 1893.

AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

The senate was called to order at 2 o'clock P. M. by the president.  
The roll was called, and all the senators were present except Messrs. Crosno and Huston.

The senate was opened with prayer by Rev. Whittaker.

On motion of Mr. Blackman, the reading of the journal was dispensed with.

On motion of Mr. McGinn, the courtesies of the senate were extended to Hon. Joseph Simon and Hon. S. M. Yoran, and they were invited to seats within the bar of the senate.

Mr. McGinn, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 181, 13, 94, 131, 213, 192, and 65, beg leave to report the same back to the senate as correctly engrossed.

HENRY E. MCGINN,  
Chairman.

House bill No. 218 coming on for second reading, was read second time.

Mr. Denny moved that house bill No. 218 be ordered to third reading tomorrow.

Mr. Gates moved to refer to the committee on claims.

The motion prevailed, and the bill was so referred.

House bill No. 282 coming on for second reading, was read second time and passed to third reading.

House bill No. 280 coming on for second reading, was read second time and passed to third reading.

House bill No. 292 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was ordered to third reading tomorrow.

House bill No. 294 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was ordered to third reading tomorrow.

House bill No. 299 coming on for second reading, was read second time.

On motion of Mr. Dodson, the bill was referred to the committee on counties.

House bill No. 188 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on agriculture.

Senate bill No. 184 being a special order for this hour, was taken up.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Butler, Cogswell, Crosno, Cross, Denny, Looney, Matlock, McAlister, Myers, Raley, Smith, Vanderburg, Veatch, and Weatherford—16.

Nays—Messrs. Alley, Bancroft, Cameron, Dodson, Gates, Hayes, Hirsch, Maxwell, McGinn, Steiwer, Willis, Woodard, and Mr. President—13.

Absent—Mr. Huston—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 342, the same having been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bill No. 342, and soon thereafter that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 21, notwithstanding the objections and veto of the governor.

And the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 1, the same having been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bill No. 1, and soon thereafter that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 8, proposing an amendment to the constitution of the state of Oregon, so that all qualified voters shall vote in the election precinct in the county where they may reside.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

HOUSE JOINT RESOLUTION NO. 8.

*Resolved,* That the following amendment be and the same hereby is proposed to the constitution of the state of Oregon:

*Resolved*, That section 17 of article II. of the constitution of the state of Oregon be amended so as to read as follows:

Section 17. All qualified electors shall vote in the election precinct in the county where they may reside.

On motion of Mr. Alley, house joint resolution No. 8 was referred to the committee on federal relations.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 302,—a bill for an act to amend an act entitled "An act to protect hotel keepers, inn keepers, and boarding-house keepers by amending section one (1) thereof, so as to include lodging-house keepers within the benefits of said act," approved February 25, 1889.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 302 was read first time and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 306,—a bill for an act to amend section 3038 of title I. of chapter XXI. of Hill's annotated laws of Oregon, relating to the record of patents, decrees, and deeds affecting lands within this state, and of approved lists of lands.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 306 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 250,—a bill for an act to prohibit and punish prize fighting in the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 250 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 164,—a bill for an act to provide for the election of assessors in the precincts in each of the counties in this state, and to repeal the present law for the election of county assessors.

And the same is herewith transmitted to you for the consideration of the senate.

House bill No. 164 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 171,—a bill for an act to amend section 2778, on page 1294, of the laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 171 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 296,—a bill for an act to establish a graded school in Southeastern Oregon, and to appropriate money therefor.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 296 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 223,—a bill for an act to amend section 8 of an act entitled an act to regulate the practice of pharmacy and the sale of poisons in the state of Oregon, filed in the office of secretary of state, February 21, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 223 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 318,—a bill for an act to reimburse certain



counties in this state entitled to rebate on account of overpaid taxes.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 318 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 331,—a bill for an act authorizing the board of trustees of the Oregon state insane asylum to employ one or two additional physicians for the treatment of patients confined in the state insane asylum.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 331 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 343,—a bill for an act to secure a more convenient mode of making assessments, and of collecting and paying taxes.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 343 was read first time and passed to second reading without question.

Senate bill No. 222. Mr. Raley. (By unanimous consent.) A

bill for an act to provide for the funding of indebtedness of counties.

Senate bill No. 222 was read first time.

Mr. Raley moved that the rules be suspended and that senate bill No. 222 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Huston and Myers—2.

So the rules were suspended and senate bill No. 222 was read second time by title only.

On motion of Mr. Raley, the bill was referred to the committee on judiciary.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 216, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

#### AMENDMENT.

In line 2 of printed bill, strike out the words "two thirds" and insert in lieu thereof the words "three fourths."

O. N. DENNY,  
Chairman.

On motion of Mr. Willis, the report was adopted.

On motion of Mr. Willis, senate bill No. 216 was ordered engrossed and to third reading tomorrow.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 218, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

## AMENDMENT.

In line 4 of printed bill, strike out the word "four" and insert in lieu thereof the word "three;" in line 4 of printed bill, strike out the words "one third" and insert in lieu thereof the words "one fourth."

## AMENDMENT.

In line 9 of printed bill, strike out the word "four" and insert in lieu thereof the word "three."

O. N. DENNY,  
Chairman.

On motion of Mr. Willis, the report was adopted.

On motion of Mr. Willis, senate bill No. 218 was ordered engrossed and to third reading tomorrow.

The hour having arrived for the consideration of senate bill No. 213, Mr. Bancroft moved to refer the bill to a special committee consisting of Messrs. Steiwer, Denny, and Raley.

Messrs. Smith and Vanderburg called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Hirsch, Maxwell, McGinn, and Myers—14.

Nays—Messrs. Beckley, Blackman, Gates, Looney, Matlock, McAlister, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—16.

Absent—Mr. Huston—1.

The motion to refer was lost.

Mr. Smith submitted the following amendments:—

## AMENDMENT.

In section 2, line 5, that "\$2.50" be stricken out and "\$3.00" inserted in lieu thereof; also in section 2, line 6, that "\$2.75" be stricken out and "\$4.50" inserted in lieu thereof.

## AMENDMENT.

In section 3, line 4, that "\$1.00" be stricken out and "\$1.50" inserted in lieu thereof; also in section 3, line 5, that "\$1.35" be stricken out and "\$2.00" inserted in lieu thereof.

## AMENDMENT.

In section 4, line 3, that "50 cents" be stricken out and "75 cents" inserted in lieu thereof; also in section 4, line 4, that "75 cents" be stricken out and "\$1.00" inserted in lieu thereof.

Mr. Smith moved that the amendments be adopted.

Mr. Bancroft moved to re-refer the bill to the committee on judiciary.

The motion prevailed and the bill was so referred.

Senate bill No. 223. Mr. McGinn. (By unanimous consent.) A bill for an act to prohibit the cutting, breaking, displacing, or tampering with electric wires, and providing for the punishment thereof.

Senate bill No. 223 was read first time.

Mr. McGinn moved that the rules be suspended and that house bill No. 223 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Absent—Mr. Hirsch—1.

So the rules were suspended and senate bill No. 223 was read second time by title only.

On motion of Mr. McGinn, the bill was referred to the committee on military affairs.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 65, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 65 passed to third reading.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 46, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 46 passed to third reading.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 53, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 53 passed to third reading.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 85, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 85 passed to third reading.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 103, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 103 passed to third reading.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 283, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 283 passed to third reading.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 177, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 177 passed to third reading.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 86, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 86 passed to third reading.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 185, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 185 passed to third reading.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 154, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 154 passed to third reading.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 179, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 179 passed to third reading.

Mr. McGinn, chairman of the committee on claims, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1893. }

*Mr. President:*

Your committee on claims, to whom was referred house bill No. 218, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

HENRY E. MCGINN,  
Chairman.

House bill No. 218 passed to third reading.

Mr. McGinn, chairman of the committee on claims, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on claims, to whom was referred house bill No. 107, beg leave to report that we have had the same under con-



sideration, and respectfully report it back to the senate with the recommendation that it do pass.

HENRY E. MCGINN,  
Chairman.

House bill No. 107 passed to third reading.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 1, 8, 173, 179, 190, and 195, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

Mr. Hayes, chairman of the committee on railroads, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on railroads, to whom was referred senate bill No. 66, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

AMENDMENT.

Strike out all between the words "immediately cause to be," in the latter part of line 7, and the words "section 4047," in line 13, and substitute therefor the following: "Posted in a conspicuous place in the nearest depot or station-house of the said railroad, a notice of such killing or injury, by posting a concise description of the animal or animals so killed or injured, including any and all brands, ear-marks, or other marks of ownership, and if only injured, the nature of such injury, a copy of which notice shall also be filed with the clerk of the county where the killing occurred, and safely kept by him, in like manner as other public records, for which he shall receive the sum of twenty-five cents for every such notice."

## AMENDMENT.

In line 15, strike out the word "published," and insert in lieu thereof the words "posted and filed."

G. E. HAYES,  
Chairman.

On motion of Mr. Hayes, the report was adopted.

On motion of Mr. Hayes, senate bill No. 66 was ordered engrossed and to third reading tomorrow.

Mr. Cameron, chairman of the committee on corporations, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 204, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

T. CAMERON,  
Chairman.

On motion of Mr. Hayes, further consideration of senate bill No. 204 was indefinitely postponed.

The following communication from the secretary of state was read:—

## COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE, }  
SALEM, Oregon,  
February 13, 1893. }

*To the Honorable the President of the Senate of the Legislative Assembly of the State of Oregon:* I have the honor herewith to deliver to the senate a printed report of the board of railroad commissioners, which was transmitted to this office January 2, 1893, to be laid before the present session of the legislative assembly, as provided by law.

I have the honor to be, very respectfully,  
Your obedient servant,

GEO. W. McBRIDE,  
Secretary of State.

On motion of Mr. Myers, the report was referred to the committee on railroads.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 64, 120, 147, 160, 203, 212, and 220.

And the same are herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign senate bills Nos. 64, 120, 147, 160, 203, 212, and 220, and soon thereafter that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 169.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 21, which has been passed by the house notwithstanding the veto and objections of the governor.

And the same are herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign senate bill No. 21, that passed the senate and the house notwithstanding the objections and veto of the governor, and soon thereafter he announced he had so signed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 172,—a bill for an act prescribing for and regulating the appointment and qualifications of court stenographers and reporters, and repealing all former laws in reference thereto.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 172 was read first time and passed to second reading without question.

Mr. Vanderburg, chairman of the committee on agriculture, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1893. }

*Mr. President:*

Your committee on agriculture, to whom was referred house bill No. 99, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

Section 3, beginning of line 4 in printed bill, add the words "such water."

W. S. VANDERBURG,  
Chairman.

On motion of Mr. Vanderburg, the report was adopted.

Mr. Vanderburg, chairman of the committee on agriculture, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on agriculture, to whom was referred house bill

No. 159, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. S. VANDERBURG,  
Chairman.

House bill No. 159 passed to third reading.

Mr. Vanderburg, chairman of the committee on agriculture, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on agriculture, to whom was referred house bill No. 92, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. S. VANDERBURG,  
Chairman.

House bill No. 92 passed to third reading.

Mr. Steiwer, chairman of the committee on public lands, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on public lands, to whom was referred house bill No. 96, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

AMENDMENT.

Strike out all after the enacting clause and in lieu thereof insert the following:—

Section 1. That all and every part of that certain act of the legislative assembly of the state of Oregon entitled "An act to authorize the city of Astoria to erect a seawall, and to grade the streets and construct sewers in connection therewith, and to issue seawall bonds, and for other purposes relating thereto," filed in the

office of the secretary of state, February 18, 1891, be and the same is hereby repealed.

W. W. STEIWER,  
Chairman.

On motion of Mr. Steiwer, the report was adopted.

On motion of Mr. ———, house bill No. 96 was ordered to third reading tomorrow.

Mr. McGinn, chairman of the committee on claims, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 198, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

HENRY E. MCGINN,  
Chairman.

On motion of Mr. McGinn, senate bill No. 198 was ordered engrossed and to third reading tomorrow.

Mr. McGinn, chairman of the committee on claims, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on claims, to whom was referred house bill No. 121, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

HENRY E. MCGINN,  
Chairman.

House bill No. 121 passed to third reading.

Mr. Cogswell asked unanimous consent to have house bill No. 64 considered as on second reading.

Mr. Looney offering objections, the bill was not so considered.

Mr. Maxwell, chairman of the special committee appointed under house concurrent resolution No. 17, submitted the following report:

## REPORT.

PORTLAND, Oregon, February 13, 1893.

*The Senate and House of the Legislatures of the States of Oregon and Washington—*

We, your joint committees appointed to look into the concurrent fishing interests of the states of Oregon and Washington with a view to enacting such legislation as will be of mutual benefit, beg leave to submit the following:

Pursuant to agreement, your committees met at the Hotel Portland on Saturday, February 11, 1893, all the members being present. After being in session two days and listening to testimony and argument from members of the fishermen's union, cannerymen, shippers, wholesale and retail dealers and others interested in the fishing industry, as well as the fish commissioners of the states of Oregon and Washington, your joint committee, after due deliberation and taking into consideration the future preservation and importance to the two states of this great industry, would unanimously make the following recommendations for joint legislative enactment:

First—That the "spring" close season, during which salmon shall not be caught on the waters of the Columbia river or its tributaries, shall be from March 1st to April 15th.

Second—That the "fall" close season shall be from August 1st to September 15th.

Third—That such laws be passed by the two legislatures as will prohibit the catching of salmon at any time between the rack connected with any hatchery and the mouth of the stream on which the hatchery is located flows.

Fourth—That the fish commissioner be given authority to appoint a special deputy in each county, and that the fish commissioner and all deputies shall have authority to make all arrests for violations of the fishing laws, and that said special deputies shall receive as compensation one half of all fines imposed on prosecutions instituted by them, and they shall receive no other compensation.

Fifth—That there be a close season established from March 1st to September 1st, during which time no sturgeon shall be caught on the waters of the Columbia river, and that no sturgeon shall be taken at any time which weighs less than twenty-five pounds.

Sixth—That a law be passed which will give the fish commissioner authority to confiscate any fishing gear used in violation of any of the fishing laws of either of the states.

Seventh—That a committee of five be appointed from each of

the present legislatures of the two states, two from the senate and three from the house of each legislature, to act with the fish commissioners of the two states; and it shall be the duty of said joint committee to investigate the fishing interests of the two states and report their conclusions to the respective governors of the two states on or before December 1, 1894, said reports to be laid before the next sessions of the legislatures.

Eighth—That appropriations be made for the establishment of at least one hatchery in each of the States of Oregon and Washington, said hatcheries to be established on a tributary of the Columbia river.

Ninth—That there be established in each of the states of Oregon and Washington a fund to be known as the "fisheries fund," and that all fines and licenses collected by virtue of the provisions of the fishing laws shall be paid into that fund, and that the fund so provided shall be devoted to the enforcement of the fishing laws and to the building and maintaining of hatcheries.

Tenth—That similar laws to the ones adopted at this session of the Washington legislature be passed by the Oregon legislature, providing for the licensing of fish traps, wheels, and other gear, such license money to be turned into the fisheries fund.

Bills covering the recommendations contained in this report are submitted herewith, with the recommendation that they do pass.

Respectfully submitted,

J. C. HORR,

Chairman joint committee.

Report concurred in by

FRANK H. RICHARDS,

A. L. BUSH,

L. C. GILMAN,

E. BROCK,

On the part of the Washington committee.

J. W. MAXWELL,

T. R. COON,

S. T. JEFFREYS,

GEO. T. MYERS,

On the part of the Oregon committee.

JEFF MYERS,

Except as to section 10, because of the uneven and unequal rate of taxation between the fish wheel and the fish trap.

Mr. Maxwell moved the adoption of the report.

Mr. Myers moved to amend by striking out section 10.

Mr. Cross moved to refer to the committee on fishing industries, with order to print.

The motion prevailed.



Senate bill No. 181 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—Mr. Veatch—1.

Absent—Messrs. Alley and Hirsch—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Cameron, chairman of the committee on corporations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 107, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

#### AMENDMENT.

Strike out the last words of the bill, "whether the holdings be by oral or written contract," and insert in lieu thereof the following: "but where there is a lease in writing, signed by both the lessor and lessee, and the lessee has not given security for the faithful performance of the lease on his part, and has failed to keep or perform any of the conditions, covenants, or agreements therein, the lessor or his assigns may, upon giving said notice, bring a suit in equity to annul the same, and a decree may be rendered with like effect, and be enforced in like manner as a judgment for forcible entry or unlawful holding of premises by force, except that the execution shall be issued to and served by the sheriff of the county in which the premises are situated. All laws or parts of laws in conflict herewith are hereby repealed.

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, the report was adopted.

On motion of Mr. Hayes, senate bill No. 107 was ordered engrossed and to third reading tomorrow.

Senate bill No. 114 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Dodson, Gates, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—24.

Nays—Messrs. Denny, Hayes, Huston, and Willis—4.

Absent—Messrs. Cogswell and Hirsch—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 131 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Weatherford, Woodard, and Mr. President—23.

Nays—Messrs. Smith, Vanderburg, Veatch, and Willis—4.

Absent—Messrs. Denny, Gates, and Hirsch—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 13 coming on for third reading, was read third time.

Mr. Alley moved that senate bill No. 13 be referred to the committee on ways and means, with instructions to ascertain the amount of money necessary for the state university.

The motion prevailed and the bill was so referred.

Senate bill No. 192 coming on for third reading, was read third time.

By unanimous consent, Mr. Raley submitted the following amendment:—

#### AMENDMENT.

In line 2, section 2, after the figure "9," strike out the figure "3" and insert the figure "4."

There being no objection, the chief clerk was instructed to insert the amendment.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Dodson, Hirsch, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, and Woodard — 20.

Nays — Messrs. Beckley, Cross, Denny, Gates, Hayes, Huston, Looney, Willis, and Mr. President — 9.

Absent — Mr. Veatch — 1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 94 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Crosno, Hirsch, Maxwell, McGinn, Myers, Steiwer, and Mr. President — 8.

Nays — Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, McAlister, Raley, Smith, Vanderburg, Veatch, Weatherford, Willis, and Woodard — 21.

Absent — Mr. Matlock — 1.

So the bill failed to pass.

Senate bill No. 24 coming on for third reading, was read third time.

By unanimous consent, Mr. Cross moved to amend by inserting the words "to meet" between the words "required" and "by" in section 2, line 10 of printed bill.

The amendment was adopted.

There being no objection, the chief clerk inserted the amendment.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President — 28.

Nays — Mr. Willis — 1.

Absent — Mr. Gates — 1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 49.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bill No. 49, and soon thereafter that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 173, 190, 179, 8, 195, and 1.

And the same are herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president stated that he was about to sign senate bills Nos. 1, 8, 173, 179, 190, and 195, and soon thereafter that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 78.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 78 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 48.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 48 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 58,—a bill for an act to define certain powers and duties of the state board of horticulture; to amend an act entitled "An act to create a state board of horticulture, and to appropriate money therefor," approved February 25, 1889.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 58 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 4.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 4 was ordered enrolled.

Mr. Hirsch, chairman of the committee on ways and means, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1893. }

*Mr. President:*

Your committee on ways and means, to whom was referred senate bill No. 208, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be referred to the committee on judiciary.

EDWARD HIRSCH,  
Chairman.

Senate bill No. 208 was referred to the committee on judiciary.

Mr. Bancroft, chairman of the committee on military affairs, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on military affairs, to whom was referred house bill No. 3, beg leave to report that we have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

## AMENDMENT.

Insert after enacting clause the following:

"Sec. 1. That section 2418 of the miscellaneous laws of Oregon as compiled by W. Lair Hill be and the same is hereby amended so as to read as follows":

## AMENDMENT.

In line 7 of printed bill, after the word "as," cut out "are now," and insert "were formerly."

## AMENDMENT.

In line 20 of printed bill, after the word "inspection," cut out "and the instruments to be recorded shall be open to public inspection before recorded to those whose business requires that they inspect the same."

F. A. BANCROFT,  
Chairman.

On motion of Mr. Bancroft, the report was adopted.

House bill No. 3 was ordered to a third reading tomorrow.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 41, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

Mr. Hayes, chairman of the committee on railroads, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on railroads, to whom was referred senate bill No. 58, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

AMENDMENT.

In line 5 of section 1, printed bill, strike out the word "less" in both places where said word is used, and insert in lieu thereof in both places the word "more."

AMENDMENT.

In line 6, section 1, printed bill, strike out the words "one hundred" and insert "two hundred and fifty" in lieu thereof.

AMENDMENT.

In line 4 of section 2, printed bill, strike out the word "burglary," and insert in lieu thereof the word "misdemeanor."

AMENDMENT.

Strike out all of line 5, section 2, printed bill, and insert in lieu thereof the following words: "A fine of not more than two hun-

dred and fifty dollars, or imprisonment in the county jail not more than six months."

G. E. HAYES,  
Chairman.

On motion of Mr. Hayes, the report was adopted.

On motion of Mr. Hayes, senate bill No. 58 was ordered engrossed and to third reading tomorrow.

Mr. Bancroft, chairman of the committee on military affairs, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on military affairs, to whom was referred senate bill No. 223, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

F. A. BANCROFT,  
Chairman.

Senate bill No. 223 was ordered engrossed and to a third reading tomorrow.

Mr. Dodson moved that when the senate adjourns it be to meet at 7:30 P. M. this evening.

The motion prevailed.

On motion of Mr. Denny, the senate adjourned.

O. P. MILLER,  
Chief clerk.

#### EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

The senate was called to order at 7:30 o'clock P. M. by the president.

The roll was called, and all the senators were present except Messrs. Butler, Cross, Gates, Hayes, Huston, Maxwell, and Willis.

Mr. Woodard, chairman of the committee on elections, submitted the following report:—



REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on elections, to whom was referred house bill No. 133, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. H. WOODARD,  
Chairman.

House bill No. 133 was ordered to a third reading tomorrow.

On motion of Mr. Myers, the committee on assessments was requested to return to the senate senate bill No. 221.

Mr. Dodson, from the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills No. 216, 71, 218, 81, 66, and 198, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

On motion of Mr. Weatherford, senate bill No. 84 was taken from the table.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cross, Denny, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—24.

Nays—Messrs. Alley, Crosno, and Gates—3.

Absent—Messrs. Cogswell and McGinn—2.

Not voting—Mr. Dodson—1.

So the bill passed.

Mr. Bancroft moved to amend the title by inserting after the word "companies" the words "and other corporations and individuals."

The motion to amend prevailed.

The motion as amended was adopted, and the title as amended stood as the title of the act.

Mr. Hirsch, chairman of the committee on ways and means, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1893. }

*Mr. President:*

Your committee on ways and means, to whom was referred senate bill No. 13, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the following amendment:—

AMENDMENT.

In section 1, to strike out the words "twenty-two thousand," and insert in lieu thereof the words "thirty thousand."

EDWARD HIRSCH,  
Chairman.

Mr. Hirsch moved the adoption of the report.

Mr. Willis moved to lay the report on the table.

Lost.

Messrs. Veatch and Huston called for the yeas and nays on the adoption of the report.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Crosno, Cross, Gates, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Veatch, Woodard, and Mr. President—21.

Nays—Messrs. Beckley, Hayes, Huston, Vanderburg, Weatherford, and Willis—6.

Not voting—Messrs. Cogswell, Denny, and Dodson—3.

The motion prevailed and the report was dopted.

There being no objection, the chief clerk inserted the amendment.

Senate bill No. 13 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Crosno, Cross, Denny, Gates, Hirsch, Looney, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—Messrs. Beckley, Hayes, Huston, Weatherford, and Willis—5.

Absent—Messrs. Matlock and Veatch—2.

Not voting—Messrs. Cogswell and Dodson—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 66 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—28.

Nays—None.

Absent—Messrs. Matlock and Willis—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 198 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Maxwell, McAlister, McGinn, Smith, Steiwer, Vanderburg, Willis, and Mr. President—21.

Nays—Messrs. Huston, Raley, Veatch, and Woodard—4.

Absent—Mr. Cogswell—1.

Not voting—Messrs. Looney, Matlock, Myers, and Weatherford—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 13, 1893.

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate

bills Nos. 223 and 58, beg leave to report the same back to the senate as correctly engrossed.

HENRY E. MCGINN,  
Chairman.

Senate bill No. 58 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Weatherford, Willis, Woodard, and Mr. President—26.

Nays—Mr. Veatch—1.

Absent—Mr. Vanderburg—1.

Not voting—Messrs. Huston and Matlock—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 218 coming on for third reading, was read third time.

Mr. Cogswell asked unanimous consent to have the chief clerk prefix "Section 1" in line 1; also prefix "Section 2" in line 8; also prefix "Section 3" in line 14.

There being no objection, the corrections were made.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Weatherford, and Woodard—24.

Nays—Messrs. Huston, Veatch, Willis, and Mr. President—4.

Absent—Mr. Matlock—1.

Not voting—Mr. Myers—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Cameron, senate bill No. 29 was taken from the table.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell,

Crosno, Dodson, Maxwell, McAlister, McGinn, Steiwer, Willis, Woodward, and Mr. President—15.

Nays—Messrs. Beckley, Cross, Gates, Hayes, Hirsch, Huston, Looney, Myers, Raley, Smith, Vanderburg, Veatch, and Weatherford—13.

Absent—Messrs. Denny and Matlock—2.

So the bill failed to pass.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 11.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 41.

And the same is herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bill No. 11 and senate bill No. 41, and soon thereafter that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bills Nos. 207, 154, 191, and 211.

And the same are herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bills Nos. 193 and 127.

And the same are herewith returned to you for enrollment.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 377,—a bill for an act to amend section 2 of article IV. of an act to incorporate the town of Jacksonville, approved October 19, 1860.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

House bill No. 377 was read first time, and passed to second reading without question.

Mr. Butler asked leave of absence for the members of the judiciary committee for the evening.

There being no objection, the request was granted.

Senate bill No. 81 coming on for third reading, was read third time.

Mr. Dodson moved that the rules be suspended and that senate bill No. 81 be made the special order for 10:05 o'clock A. M. tomorrow.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Hayes, Huston, Looney, Maxwell, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—20.

Nays—Messrs. Beckley and Veatch—2.

Absent—Messrs. Alley, Butler, Denny, Gates, Hirsch, Matlock, McAlister, and Weatherford—8.

So the rules were suspended, and senate bill No. 81 was made the special order for 10:05 A. M. tomorrow.

On motion of Mr. McGinn, the senate adjourned.

O. P. MILLER,  
Chief clerk.

TUESDAY, FEBRUARY 14, 1893.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

The senate was called to order at 10 o'clock A. M. by the president.

The roll was called, and all the senators were present except Messrs. Denny, Hayes, and Steiwer.

The senate was opened with prayer by Rev. Mr. Kellerman of the M. E. Church.

On motion of Mr. Blackman, the reading of the journal was dispensed with.

Senate bill No. 216 coming on for third reading, was read third time.

On motion of Mr. McGinn, senate bill No. 216 was laid on the table.

Mr. Cross, chairman of the committee on roads and highways, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1893. }

*Mr. President:*

Your committee on roads and highways, to whom was referred senate bill No. 187, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

AMENDMENT.

Strike out the words "one hundred and fifty yards," and insert in lieu thereof the words "sixty feet," in line 7 of section 9 of printed bill.

H. E. CROSS,  
Chairman.

By unanimous consent, the chief clerk inserted the amendment.

Mr. Cogswell moved that the rules be suspended and that senate bill No. 187 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hirsch, Huston, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Veatch, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Butler, Denny, Hayes, Looney, Smith, Steiwer, Vanderburg, and Weatherford—8.

So the rules were suspended and senate bill No. 187 was considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were;

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—None.

Absent—Messrs. Hayes, Gates, and Steiwer—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Looney, chairman of the committee on commerce, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on commerce, to whom was referred senate bill No. 202, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, senate bill No. 202 was ordered engrossed and to third reading tomorrow.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 274.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
 Chief clerk.

The president announced that he was about to sign house bill No. 274, and soon thereafter announced that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 83.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
 Chief clerk.

Senate bill No. 83 was ordered enrolled.

The hour having arrived for the consideration of senate bill No. 81, the senate proceeded with that order.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hirsch, Huston, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Vanderburg, Willis, Woodard, and Mr. President—23.

Nays—Messrs. Beckley and Veatch—2.

Absent—Messrs. Gates, Hayes, Looney, and Steiwer—4.

Not voting—Mr. Weatherford—1.

So the bill passed.

Mr. Dodson moved that the title be amended as follows:—

## AMENDMENT.

Amend title of the act by striking out all of said title and insert in lieu thereof the following words: A bill for an act to create

four health officers, to designate their respective location and duties for the better protection of life and health, and to prevent the introduction and spread of contagious and infective diseases in the state of Oregon, and to provide means for the quarantine of the state against said diseases, etc., in the state of Oregon.

The motion prevailed, and the title as amended stood as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 119, with the following amendments:—

#### AMENDMENT.

After the words "south along said range" in line 13, original bill, insert "to the center of township 13 south; thence west on the section line to range line between ranges 8 and 9 west; thence south."

#### AMENDMENT.

Amend section 4, original bill, by striking out all that part of said section, commencing at the word "Benton," on line 4, to and including the word "counties," in line 8, and insert in lieu thereof the following: "Benton county shall be entitled to elect one representative, and Benton county with Lincoln county be entitled to elect one joint representative and one joint senator."

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. Crosno, the senate concurred in the amendments.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 151.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 151 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 347,—a bill for an act to amend an act entitled “An act to authorize the cities of Portland, East Portland, and Albina to construct, purchase or acquire, by condemnation or other means, one or more bridges across the Willamette river, between the city of Portland and the city of East Portland, in Multnomah county, Oregon, which bridge or bridges shall be free to all pedestrians and all classes of vehicles and traffic, except railways and street railways,” by adding thereto section 25, providing for the issuing by the commission provided for in said act, of bonds in addition to those in said act provided for, to the amount of not more than two hundred thousand dollars, for the purpose of purchasing or condemning and rendering free what is known as the Morrison street bridge in the city of Portland, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 347 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 11, notwithstanding the veto and objections of the governor.

And the same, together with said message, is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
SALEM, Oregon,  
February 14, 1893. }

*To the Honorable the House of Representatives of the State of Oregon:*  
I herewith return house bill No. 11 without my approval. The main objection to this bill is that it provides for serious obstruction to the Portland harbor. The growth and prosperity of Portland are mainly attributable to its fine and commodious harbor facilities. Vessels laden with the products of every clime came hither, and the city sprang into existence at that point most advantageous for the loading and unloading of vessels. The center of Portland was fixed at the center of river and ocean commerce. Capital has been invested, and great improvements have been made in obedience to the national and undisturbed laws of commerce and trade. If the legislative assembly of the state of Oregon, by the passage of this bill, permits and sanctions the building of a bridge at the point in the river designated by it, it will have the most certain effect of transferring the center of commerce still further from the center of the city, whereby additional burdens will be placed upon commerce and upon the present business center of Portland. More than this, and still more objectionable, is the fact that the location of a bridge here by the sanction of law and by the exercise of the taxing power of government will have the undoubted effect of making more valuable certain portions of the city and less valuable other portions. The people of the present business center will be taxed to build up trade at other points, and to transfer the business they now enjoy to others who will be located on the new avenues of travel opened up. Such an exercise of the taxing power of government is entirely alien to any of the purposes for which it was conferred, and is a species of class legislation utterly indefensible in principle and absolutely abhorrent to justice. If any government purposes to engage in paternal legislation, it should do so for the protection and not for the robbery of its citizens. A paternal government that prevents one class of its citizens from robbing another class is to be commended, but a government that exercises paternalism by its taxing power to benefit the citizens of certain localities at the expense of citizens of other localities is to be condemned.

This bill provides for the construction of a free bridge at the expense of the taxpayers. It is indeed proper for government at times, when the people are oppressed by the exactions of private corporations, to assume control when other remedies are powerless,

and by the expenditure of money raised by the operation of the taxing power to relieve the people in matters where they are unjustly taxed. Great care, however, should be exercised so that in preventing unjust exaction in one quarter such unjust exaction should not be exercised in another quarter. If unreasonable tolls are demanded by private corporations owning bridges, government should either interfere to reduce those tolls or to build bridges demanding reasonable tolls. To build bridges, however, by the taxation of the whole people, and make such bridges free from all toll for the benefit of a portion only of the people, is nothing more or less than class legislation, pure and simple. The city of Portland has issued bonds for building bridges and for supplying its citizens with water. If the bridges are to be free, why should not the water be free, and on the very same principle, why should not free bread be furnished through the operation of the taxing power? Portland, in regard to its bridges, should pursue the identical policy which it pursues in regard to the water furnished to its citizens. Those using the one ought to pay what those using the other are usually compelled to pay,—a reasonable compensation for such use. This is the only legitimate business proposition, and the only one that fully accords with justice. To provide by general taxation for free bridges would be to tax some people for the benefit of others, and to disturb by force of law the values of property, enhancing the property of some at the expense of others who by law are taxed, if not for that purpose, then most assuredly with that result. There is no more justice in the demand for free bridges than there is for free water or free bread. A reasonable toll should be demanded from all vehicles for the use of the bridge, but as the wear of foot passengers is of no importance whatever, no toll ought to be collected from them.

Portland has already an authorized indebtedness of \$5,695,000, the interest charge on which amounts to about \$285,000 per annum. It is high time that a halt was ordered. The people of Portland and the people of the whole state are both vitally interested in the prosperity of the commercial metropolis of Oregon, and they therefore ought to stand together in solid opposition to a scheme that not only proposes to destroy a portion of its splendid harbor, but also to hang about its neck an additional millstone of indebtedness. About one year ago, the people of Portland, East Portland, and Albina were living under three separate municipal governments and knew no rivalry except that generous emulation which sought to secure in each city the best government at the least expense. Infatuated with the promises of the real estate boomer, and under the spell of a midsummer madness, they relinquished their independent governments and became merged into one munic-

ipality with the unexpected but legitimate results of increased taxation instead of reduced taxation, and of stagnation in business and decline of values instead of increased prosperity with advance of prices and business enterprises. And now, like the unfortunate victim of the morphine habit, there is a demand for increased indebtedness at the expense of needed harbor room to restore a hectic warmth to one locality only of the widespread municipality. The bridge proposed is not on one of the great avenues of trade, nor on a large line of travel, and its erection would not only seriously interfere with needed harbor room, but would be sure to disturb by the taxing power of the government well-established business centers and compel citizens of Portland by the fiat of law to contribute money that would be expended for the depreciation both of their property and their business. Such class legislation can never receive my approval. I veto the bill.

SYLVESTER PENNOYER,  
Governor.

On motion of Mr. Willis, house bill No. 11 and the governor's message were laid on the table.

On motion of Mr. Maxwell, senate bill No. 73 was taken from the table.

By unanimous consent, Mr. Maxwell submitted the following amendments:—

#### AMENDMENT.

Amend senate bill No. 73 so as to read as follows:

Section 1. That hereafter there shall be held annually two terms of the circuit court in Tillamook county, said terms to be held on the fourth Monday in April and the second Monday in November.

Section 2. That all acts or parts of acts in conflict with this act are hereby repealed.

#### AMENDMENT.

Section "2" to read section "3."

There being no objection, the chief clerk inserted the amendments.

The question being, "Shall the bill pass?" the rolls was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers,

Raley, Smith, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Nays—None.

Absent—Mr. Steiwer—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. McGinn, chairman of the committee on claims, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 110, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

#### AMENDMENT.

In section 13, line 2, printed bill, after the words "subject to section," strike out the number "3" and insert in lieu thereof the numbers "4 and 5."

#### AMENDMENT.

In section 23, line 1, printed bill, after the word "any" insert the clause "engineer employed for farming purposes."

#### AMENDMENT.

In section 24, line 3, printed bill, strike out all of the line after the word "visit" and insert in lieu thereof the words "the county seat of each county in the state for examination of"; also in section 24, line 4, strike out the words "necessary in the" and insert in lieu thereof the words "applicants and any other places in the"; also in section 24, line 4, after the word "business" add the words "in the state."

H. E. MCGINN,  
Chairman.

On motion of Mr. McGinn, the report was adopted.

On motion of Mr. Myers, senate bill No. 110 was ordered engrossed and to third reading tomorrow.

Mr. Cameron, chairman of the committee on corporations, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 214, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, senate bill No. 214 was ordered engrossed and to third reading tomorrow.

Mr. Cameron, chairman of the committee on corporations, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred house bill No. 40, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

T. CAMERON,  
Chairman.

House bill No. 40 passed to third reading tomorrow.

Mr. Cameron, chairman of the committee on corporations, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred house bill No. 333, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

T. CAMERON,  
Chairman.

House bill No. 333 passed to third reading.



Senate bill No. 224. Mr. Weatherford. By unanimous consent. A bill for an act for the protection of chinook salmon in the Columbia river and its tributaries.

Senate bill No. 224 was read first time.

Mr. Weatherford moved that the rules be suspended and that senate bill No. 224 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Cross and Steiwer—2.

So the rules were suspended and senate bill No. 224 was read second time by title only.

On motion of Mr. Weatherford, the bill was referred to the committee on fisheries.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon;  
February 14, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 4, 48, 78, and 127, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

By unanimous consent, Mr. Cogswell introduced senate concurrent resolution No. 20.

#### SENATE CONCURRENT RESOLUTION NO. 20.

*Resolved by the Senate, the House concurring,* That the seventeenth session of the legislature of the state of Oregon adjourn without day on Friday, the seventeenth day of February, A. D., 1893, at 12 o'clock P. M. of said day.

Mr. Cogswell moved the adoption of the resolution.

Mr. Willis moved to amend by striking out the words "P. M. Friday," and inserting in lieu thereof the words "M. Saturday."

The amendment was lost.

The motion recurring on the motion to adopt prevailed.

Mr. Woodard, chairman of the special committee appointed under senate concurrent resolution No. 12, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your special committee, to whom was referred senate concurrent resolution No. 12, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that 500 copies of the subjoined report of the special legislative committee of the state of Illinois be printed for use of the members of this legislative assembly, to the end that the matter may be taken up at the next biennial session, A. D. 1895.

C. H. WOODARD,  
Chairman.

On motion of Mr. Woodard, the report was adopted.

*To the Honorable Joseph W. Fifer, Governor of the State of Illinois :*

In accordance with the terms of a joint resolution adopted by the thirty-seventh general assembly of the state of Illinois, under which the undersigned were appointed a commission "to make investigation of our present system of transferring land titles, and to consider whether a more simple, expeditious, and inexpensive system, and one that will give greater security of title, cannot be adopted, and especially to inquire into the practical workings of what is known as the Australian or Torrens system of registration of titles, and whether it can be adapted to the constitution and laws of the state," such commission now beg leave to make the following report:—

In Illinois transfers are made by deed, the seller always being compelled to show that his deed is the last link in an unbroken chain of properly drawn, executed and recorded conveyances reaching back to the patent from the government, a period usually covering more than fifty years. The record of the prior deeds simply excuses the production of their originals. Each dealing with the land necessitates a careful inspection of this chain of title. The owner must provide an abstract of title, which is a condensed but complete history of the title, consisting of a summary of all conveyances and instruments affecting the land.

The mere making of a perfect abstract of title to a piece of land, with all the incumbrances which affect it, involves a great exercise

of legal learning and careful research, and can be safely done only by skillful persons. This abstract of title, having been acquired by the owner with the land, must be brought down by the abstract-maker to show all matters of record affecting the title which have transpired since. The abstract of title is then submitted to the attorney for the buyer, who gives his client an opinion upon the title as disclosed by the abstract, upon which opinion, if satisfactory, the proposed transfer is affected by the payment of the consideration and the delivery of the deed. The last named act passes the title.

This system is found unsatisfactory in the following particulars:

1. The expense.—The cost of the abstract, either in whole or its continuation, is necessary in each transfer of title. To this must be added the cost of its examination by the attorney for the buyer. In Cook county the average outlay for these two items will be probably not far from \$25. It is estimated that in Illinois the annual costs of abstracts of title and their examination by counsel is upwards of \$10,000,000.

2. The delay.—Too long a time intervenes between the making of the contract of sale and the delivery of the deed. Delays consequent upon procuring abstracts, their examination and hunting up matters that do not appear of record, frequently run into many months.

3. The insecurity.—Errors may intervene not only in the making of the abstract, but in the opinion of the buyer's attorney. As against all such errors the buyer assumes the risk. If the defects be sufficiently serious, he may lose the land, and then may recover damages from his grantor under covenants of warranty.

4. The always increasing record of instruments and matters connected with the title, the accumulation of books and indexes in the recorder's office, and the lengthening of the abstracts of title, steadily increase the cost of transfers and the risks of errors. Since October, 1871, there have accumulated in the recorder's office in Cook county more than 4,200 large books of records of deeds and mortgages each with about 600 pages. At the present rate of annual increase, within fifty years, these books will be so numerous as to require a large building for their keeping; and the time and expense necessary for their examination will very seriously interfere with transfers.

5. These defects in the present system operate as a perpetual tax upon the holders of real estate, directly reduce its ease of convertibility into money, and thus lower its market value. This burden is always increasing. No way is perceived by which the present system can be retained and these defects removed.

After careful examination of the different methods of transferring real property now in use in the civilized countries of the world, the commission beg to recommend the introduction in Illinois of a system containing the essential features of what is commonly known as the Torrens system of registration of title.

This system has been in operation for over a century in Prussia, Bavaria, and other European states, notably in Hamburg, where it has been used for upwards of 600 years. It has been in use since 1858 in South Australia, since 1861 in Queensland, since 1862 in Victoria, and also in New South Wales, since 1863 in Tasmania, since 1870 in New Zealand and in British Columbia, since 1874 in Western Australia, since 1884 in Ontario, and since 1885 in Manitoba.

So far as your commissioners have been able to learn, the system has given general satisfaction to the land-owners of every country where it has been tried. One country after another has adopted it, each with uniform success. Wherever it has been tried it is in actual use today.

In 1875 this system was put in operation in England, but a comparatively small part of land-owners as yet have availed themselves of its benefits. The register-general in England reports that the number of registered owners is steadily increasing, and that the manifest advantages of a registered title are gradually overcoming the deep-rooted opposition of the English land-owner to having his title a matter of public record.

Your commission are of the opinion that the essential features of the Torrens system may be adopted and used in the state of Illinois, without amendment to our constitution or material change in our existing laws. To that end they have prepared the draft of a bill which accompanies this report.

The outlines of this bill, in brief, are as follows:—

The recorders of deeds are made registrars, and in addition to their usual duties as recorders will conduct the registration of titles, and all dealings with registered lands. They are assisted by deputies and such examiners of title (who must be attorneys at law) as may be necessary. It does not seem necessary to create any new offices or officials, and almost all the machinery necessary to transfer land by registration of title, is already to be found in our recorders' offices.

Any owner may register his land. *None are required to do so.* The owner files with the registrar his application in writing for the registration of his title, together with his abstract of title. These are passed upon by the examiners, and if in their opinion the title is in the applicant, the land is registered by its entry in the registry book of the registrar. Such entry is a certificate signed by the

registrar, certifying the title to the land to be in the applicant. This is called the certificate of title, and is made in duplicate. One is kept by the registrar and bound in the register; the other is delivered to the owner. During the first five years after the land is first registered, the certificate of title is *prima facie* proof receivable in all courts that the person named therein is the owner of the land. After the expiration of five years from the first registration, no suit attacking the title of the registered owner can be brought, and the certificate of title is conclusive proof in all courts of the ownership of its holder. Provision is made for the protection of the rights of all adverse owners whose right of action may not have accrued at the time of registration, and proper additional time is given in which to bring such action. All constitutional rights of any owner or claimant adverse to the registered owner are fully protected.

Certificates of title as to all adverse rights outstanding at the time of first registration are absolute and indefeasible, subject only to the foregoing limitation period. As to all rights adverse to the title of the registered owner accruing subsequent to the first registration, all certificates of title, except as against a fraudulent holder, are absolute and indefeasible. If any such right be established it is enforceable not against the registered land held by one free from fraud, but only against the person fraudulently defeating such right, or against the registrar upon his bond for negligence in improper registration. It is essential to this method of registration that the act of the registrar in dealing with a registered title be held absolute; and a transfer of or dealing with the title by him must be taken by all to be as unimpeachable and conclusive as though his act were the final decree of a court of last resort, with all parties properly before it. To grant such finality to the act of the registrar is not in violation of any constitutional right, since it is clearly within the power of the legislature to provide that all right, estate, or interest in registered land acquired after its first registration shall be acquired and held subject to such power in the registrar. The act becomes a rule of property governing all subsequent dealings after the first registration, the same as if its terms were embodied in the instrument of conveyance.

By the terms of the proposed bill indefeasibility of title, as against adverse interest outstanding at the time of the first registration and upon which cause of action has accrued is not secured until after the expiration of the term of five years allowed for the establishment of such interests. In the very few cases where such outstanding interests may be possibly overlooked by the examiners in preparing for the first registration, and the cause of action

thereon may not have accrued, and, therefore, be not subject to any statute of limitation, the time when the registered title becomes indefeasible may be somewhat extended. But such cases must necessarily be rare, and in the vast majority of titles which have been registered for five years, the registered owner will hold a practically perfect title, which by lapse of time will ripen into one absolutely indefeasible.

No valid objection can be urged against the length of the limitations provided by the act. Our present statute of limitation is in many cases even more stringent, and all rights in property are cut off by such statutes without compensation. The misfortune in the present system is that all statutes of limitation are made to run upon matters which do not appear upon record, and therefore are not available in determining the merchantable character of the title. The striking advantage of the limitations in the proposed act is that the statute begins to run upon the entry of the land upon the register, which is a matter of public record.

Transfers of registered land are made in the following manner: The owner executes the usual deed (quitclaim, special, or general warranty) and submits it, together with his certificate of title, to the buyer. In every transaction the owner must produce his certificate of title. He can do absolutely nothing without it. If lost or destroyed, upon proper showing the owner receives a certified copy marked "owner's certified copy, issued in place of duplicate lost," which answers the same purpose as the lost certificate. No new forms of conveyance are required. The buyer, after inspection of the proper folium of title in the register, and finding thereon no incumbrance or lien, safely pays over the purchase money, and receives the deed and certificate of title. He then delivers them both to the registrar, who notes the transfer upon the register. This act operates to transfer the title. No title passes by the delivery of the deed. The deed after delivery and before the registration of the transfer is a mere contract between the parties. Its sole object is to authorize the registrar to register the transfer. When the transfer is registered, the registrar cancels the old certificate of title and issues a new one in duplicate as before, one called the original, being retained in the register, and the other called the duplicate, delivered to the buyer, now the new owner. The deed is kept by the registrar.

A mortgage of registered land is effected in somewhat the same manner. The owner executes the mortgage in duplicate, and delivers it, with the note or bond and his certificate of title, to the lender. The latter, after inspection of the proper folium in the register and finding thereon no incumbrance or lien, safely pays over the money to the borrower, and receives the mortgage securi-



ties with the certificate of title. He retains the note or bond and delivers the duplicate mortgage to the registrar, who notes the transaction upon the register, as well as upon the certificate of title. The latter is thereupon returned to the borrower, who may use the same in effecting a second or third or more mortgages. One of the duplicate mortgages is retained by the registrar; the other, with the date of its registration endorsed thereon by the registrar, is delivered to the lender. When the mortgage is paid, a release of the same is filed with the registrar, who thereupon notes the release upon the register book, as well as upon the certificate of title. The latter is then returned to the owner, or he may surrender it to the registrar for cancellation and receive a new certificate of title containing no mention of the mortgage.

Registered owners, by deed or other instrument filed with the registrar, may create such trust as may be desired. The terms of the trust are not set forth in the certificate of title, but after the name of the trustee is inserted, the words "in trust" upon condition "or with limitation," as the case may be. No subsequent transfer or dealing can be had thereafter except upon the written opinion of at least two of the examiners of title that the proposed transfer or dealing is in accordance with the terms of the trust, condition, or limitation.

No judgment, decree, attachment, *lis pendens*, mechanics' lien, nor other statutory, legal, or equitable lien except taxes and special assessments, is a lien upon registered land until a certified copy of the judicial proceedings, or a copy of the instrument upon which the lien is based, is filed with the registrar, and a brief note thereof is entered by him upon the certificate of title in the register. This abolishes all general liens, and one dealing with a registered title can safely ignore any lien not entered upon the certificate of title in the register.

Provision is made for all who wish to give notice of a lien upon or claim against registered land. All such notices are entered by the registrar upon the proper certificate of title in the register book, and are thus brought directly to the attention of one proposing to deal with the registered land. Until such claims are removed, as they may be by proper proceedings provided in the act, the registrar will enter them upon all succeeding certificates of title. This protection covers every possible claim or lien, and includes a mechanics' lien, foreclosure, attachment, or any other suit affecting the land, an unregistered mortgage or other legal or equitable lien, a trust of any kind, sales for taxes or special assessments, and any other nature of claim now permitted to be asserted in any manner.

Dower is preserved in registered land, and in its first registration,

as well as in all subsequent dealings, the right of dower in the husband or wife of the registered owner is recognized and protected. The same is true of the statutory right of homestead.

Upon the death of a registered owner, for the purpose of distribution of his estate, his registered lands are treated as personal property. Before transferring or otherwise dealing with the land, the executor or administrator must file with the registrar, as authority for such transfer or dealing, a certified copy of an order of the court administering upon the estate of the deceased owner. In the case of ordinary distribution among devisees or heirs, the executor or administrator, upon proper authority from the court appointing him, will apply to the registrar to have the land transferred to the devisee or heir. The sale of land for payment of debts will be conducted as heretofore. On filing in the registrar's office the deed and order of confirmation of the sale, the registrar will transfer the land to the purchaser at such sale.

The great advantages of this change in administering upon land are manifest. All questions concerning heirship, dower, and rights of creditors are thus conclusively settled at the time, and do not continue, as now, to remain for years afterwards as possible defects in a title.

It will, no doubt, be objected that great responsibility is placed upon the registrar and his legal advisers—examiners of title. It is true that at every transfer they are called upon to pass upon matter of both form and substance. But this has to be done by somebody under any system of transfer. Under our present system it is done by abstract makers and lawyers, more or less competent and trustworthy, whose labors must extend over the whole history of the title and whose conclusions bind nobody and protect nobody. If they make a mistake the purchaser may lose his money. Under the proposed system it is done by officials whose business it is to make themselves familiar with all the questions with which they have to deal. Their investigations will extend only to the transaction in hand, as at every previous transfer all questions that could arise will have been settled once for all. It will be observed that under the proposed system there will be fewer questions outside the record than under the present system, and these will be conclusively settled when the facts are fresh in mind, instead of as now left to vex the title at every transfer extending into years, when the witnesses have long since been dead. The experience of the countries which have adopted this system is that this responsibility has been intelligently and safely exercised.

The bill submitted furnishes a ready recourse to a court of equity in all cases of doubt, and for control over the acts of the registrar.



In nearly all of the countries where the Torrens system is in use an assurance fund is provided to make good any losses incurred by rightful owners in being deprived of their land through fraud or accident. This fund is usually raised by charging a small fee, usually one fifth of one per cent, upon the value of the land when first registered, and each time it afterwards passes by descent or devise. Small as such fee is, it has invariably proved to be much larger than necessary. Claims upon these assurance funds have been few and unimportant. In some of the colonies no claim whatsoever has been made upon it, and it is an open question whether such a fund is necessary.

The accompanying bill does not provide for the creation of any assurance fund, as it is doubtful whether such a fund will be necessary. For all injuries sustained by reason of the first registration, an owner may still, as now, resort to the land itself, provided he do so within five years. No fund is needed to make good such losses. As to losses sustained by registered owners through mistake or error of the registrar in affecting subsequent transfers or dealings, they are practically unknown, and do not seem to be of sufficient frequency to warrant the accumulation of such a fund.

The defects in our present system of transferring land have brought into existence in Illinois four title guaranty or title insurance companies. Each of these is the owner of a set of abstract books. Their methods provide for an examination of any title sought to be guaranteed or insured, and upon those selected as free from risk or doubt, policies of guaranty or insurance are issued on payment of a premium or rate fixed by the company. This premium or rate, in ordinary cases, when there are no defects in the title, is one per cent of the value of the land, which may be insured to its full value or less. The policy is a contract on the part of the company to defend all suits attacking the title brought against the insured, his heirs, or devisees, to the extent of the sum insured. These policies do not protect a subsequent purchaser or mortgagee, without being transferred by the issue of a new policy upon the surrender of the old one and payment of additional charges and costs fixed by the company. These policies do not cover any risk by reason of liens, conveyances, or other instruments of writing not of record at the date of the policy, nor by the rights of persons in possession not shown of record. The policies are secured by the capital of the company.

The method in use by these guarantee companies gives, no doubt, additional security to the title shown of record, but their policies contain many conditions and stipulations greatly limiting the value of the guaranty. This is necessary, as these companies in

effecting such guarantees have not the aid of the statutes of limitation and rules of property contained in a registration of title act, which are so essential to the protection of the title.

These guaranty of title companies do not overcome to any great degree any of the defects or disadvantages hereinbefore shown to exist in the present system. They do not materially reduce the expense of transferring or dealing with the title, nor the necessary time involved therein. While they give the owner a guarantee which he lacked before, yet it is only against matters of record, and is limited to the face of the policy. They do nothing toward lessening the length or volume of public records, and guaranteed titles must be still dealt with through the medium of abstracts prepared from these constantly increasing volumes in the recorder's office. The guarantee of a private corporation cannot make a title conclusive or indefeasible. The issuance of such a policy can affect no adverse rights whatsoever. Neither does such a guaranty in any way rest or quiet a title. In short, the guaranty of title system as used by these companies, although in one way giving an additional security of title, nevertheless in all other respects is little or no improvement upon the old system. Such companies seem better suited for large cities, and are not likely to soon be able to aid the land-owner in smaller towns or country districts. These and similar objections to guaranty of the title companies have been found to exist in other places where such companies have been longer in existence. The very existence of those companies is a strong illustration of the necessity for a radical change in our method of dealing with titles to land.

Compared with the defects found in our present system, the proposed method of transfer by registration of title, as demonstrated by its actual workings in other countries, shows the following advantages:

1. Expense.—The cost of a first registration will not exceed, in any event, the cost of a single transfer under the present system, and will in most cases be less. The cost of all subsequent transfers is greatly reduced. The entire cost of an ordinary transfer of a piece of registered land upon a sale or mortgage will be \$3.00. These charges, being fixed, are ascertainable in advance, so both seller and buyer know beforehand the expense of carrying out any sale or transfer. An ordinary transfer or mortgage of registered land is a transaction so simple in its nature that the real estate broker, or even the parties themselves, if of ordinary business intelligence, may easily carry it into effect without the aid of a lawyer.

2. Quickness.—Registered land may be sold or mortgaged and

the money safely paid over within an hour or two after the making of the contract. The ownership of the property, and whether incumbered or not, is shown by the register at a glance. The certificate of title held by the owner shows the title at its date, and a certificate of search obtainable in a few minutes from the register, will show all subsequent liens. If none appear, the money is paid over, the certificate of title accompanied by the deed or mortgage is delivered to the registrar, the proper entry made upon the register, and the transfer is complete.

3. Security.—The insecurity of the present system is largely due to the fact that since upon each transfer the title must be searched back to the government, there can be no rest in such searches, and error in their making is possible. By the Torrens system *the title is rested or quieted by law at each transfer*, hence upon a proposed transfer no search back of the preceding transfer is necessary. This curtailing of the search greatly reduces risk of error, and all rights of the buyer to recover damages from the seller for any imperfection in the title if warranted, are fully preserved. If any purchaser, through caution, desires to satisfy himself as to the correctness of any first registration, he is permitted to examine, or have his counsel examine the abstracts and all other evidences of title upon which the registration was effected. All subsequent transfers or dealings with the registered title are matters of public record, and are also open to examination of the purchaser if he so desire. While such examinations may perhaps be made with more or less frequency during the first five years after registration, yet as the act of the registrar is final, they will be more and more infrequent until they cease altogether. Under the present system, security is dependent upon the examination made by the buyer. Under the proposed system all such security is retained; and in addition the buyer has the benefit of (1) the official examination made by the registrar before the title is registered, which can be attacked only within the limitation period; and (2) the conclusiveness given by law to the act of the registrar in registering all subsequent transfers or dealings.

4. Shortening of the records.—Under the present system, all deeds and mortgages are copied at length in the books of the recorder, and the originals returned to the owners. There is no copying of any deed or mortgage of a registered title, as the original instruments are retained by the registrar.

5. A safe method of much more quickly transferring titles at a smaller cost increases the saleable value of the property.

The accompanying bill is drawn upon the theory that the register book, composed as it is of the certificates of title issued by

the registrar, shall be an authoritative list of the persons entitled to sell, mortgage, or deal as owners with the registered land situated within the county. It is a public record kept by an official under ample bond to ensure its accuracy; and if its authoritativeness be sanctioned by law, no reason is perceived why all cannot safely rely upon such accuracy. It has been most amply demonstrated in other countries that such a list can be both authoritative and accurate.

*The bill herewith submitted is much shorter than any of the registration acts in use in other countries.* Many details not essential in adapting the principles of those acts to the conditions in this state have been left out. The commission have endeavored to eliminate everything not necessary in effecting the desired change from the present system of recording deeds which perpetuates all defects in transfers, to that of registration of titles in which all questions that may affect the title of the purchaser are conclusively settled at the time of transfer.

HARVEY B. HURD.  
THEODORE SHELDON.  
WILLIS G. JACKSON.  
GEORGE W. PRINCE.  
FRANK H. JONES.

Chicago, December 10, 1892.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 29, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be referred to the committee on assessment.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Denny, the bill was referred to the committee on assessments.

Mr. Vanderburg, chairman of the committee on agriculture, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on agriculture, to whom was referred house bill No. 332, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

Section 10, line 22, in printed bill, after the word "affidavit," add the following sentence: "All money in hands of Southern Oregon agricultural society on January 1, 1894, shall be divided equally between the first and second Southern Oregon district agricultural societies."

W. S. VANDERBURG,  
Chairman.

On motion of Mr. Vanderburg, the report was adopted.

On motion of Mr. Vanderburg, house bill No. 332 was ordered to third reading tomorrow.

Mr. Vanderburg, chairman of the committee on agriculture, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on agriculture, to whom was referred house bill No. 142, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

## AMENDMENT.

After the word "Columbia," line 5 of printed bill, insert the words "and Washington."

## AMENDMENT.

After the word "Columbia," in line 7, printed bill, insert the words "and Washington."

W. S. VANDERBURG,  
Chairman.

On motion of Mr. Vanderburg, the report was adopted.

On motion of Mr. Vanderburg, house bill No. 142 was ordered to third reading tomorrow.

Mr. Veatch moved that house bill No. 11 be now taken from the table.

The motion was lost.

Senate bill No. 71 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—None.

Absent—Messrs. Crosno, Dodson, Gates, Steiwer, and Veatch—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 223 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Vanderburg, Weatherford, Woodard, and Mr. President—26.

Nays—None.

Absent—Messrs. Dodson, Steiwer, Veatch, and Willis—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Willis, chairman of the special committee, to whom was referred senate bill No. 77, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 77, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

AMENDMENT.

Amend section 4, line 4 of printed bill, by striking out the word "fifty," and insert in lieu thereof the word "twenty-five," so as to read "twenty-five thousand"; also in section 4, line 5, strike out the figures "50,000," and insert in lieu thereof the figures "25,000."

AMENDMENT.

Amend section 7, line 3, by striking out the word "fifty," and insert in lieu thereof the word "twenty-five"; also in section 7, line 3, strike out the figures "25,000."

AMENDMENT.

Amend section 9, line 3, by striking out the name of "P. T. Smith," and insert in lieu thereof the name of "Charles E. Ladd."

AMENDMENT.

Amend section 11, line 6, by adding the following words after the last word "corporation" of said section: "The board of commissioners shall cause accurate account books to be kept by the secretary of all of the receipts and expenditures of the corporation, and such books shall be open at all reasonable times to the inspection of any taxpayer of the corporation."

AMENDMENT.

Amend section 13, line 4, by inserting after the word "harbor" the following words: "Or give the corporation any power to interfere in any way with the construction of any railroad or railroad bridge of any corporation now in existence and projecting the construction of a railroad or railroad bridge, or to require such railroad corporation to construct a draw in any bridge, within the limits occupied by the corporation the 'Columbia harbor'; also in section 13 in line 5, strike out the word "condition," and insert in lieu thereof the word "creation."

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, the report was adopted.

On motion of Mr. Willis, senate bill No. 77 was ordered engrossed and to third reading tomorrow.



Mr. Cross, chairman of the special committee appointed under house concurrent resolution No. 13, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1893. }

*Mr. President:*

Your committee under house concurrent resolution No. 13, appointed to consider a plan for the acquisition by the state of Oregon of the locks on the Willamette river at Oregon City, and also to consider the use now being made and proposed of the water of the river at Willamette falls for industrial purposes, beg leave to report as follows:—

BRIEF HISTORICAL SKETCH.

The Willamette Falls Canal and Lock Company was incorporated September 14, 1868, by N. Haun, E. W. Baughman, and Samuel L. Stevens. Its authorized capital was \$300,000. Its purposes was declared to be "to locate and construct a canal and suitable boat locks at the falls of the Willamette river, on the west side of said falls, so as to pass boats from lower to upper Willamette river so as to insure the speedy transit of freight and passengers up and down said Willamette river." It was specified that this canal would commence at a point on the west side of the Willamette river opposite the town of Canemah, and terminate opposite the town of Oregon City.

By supplemental articles of incorporation filed February 3, 1871, the additional objects of the corporation were declared to be to collect tolls not exceeding the amount fixed by law; to purchase, hold, sell, convey, lease, and use water power and water privileges and any personal property that said corporation may deem necessary and advantageous; also to purchase, hold, convey, etc., real estate; to build mills, factories, and houses, and manage, lease, and operate the same, etc.; to conduct water from the Willamette falls or from said canal, and to sell, lease, and dispose of the same for any useful purpose; and to build, buy, own, and operate steamboats, etc., on the Willamette and Columbia rivers.

October 28, 1868, an act was passed granting aid to the Willamette Falls Canal and Lock Company to construct a canal and locks at the west side of the Willamette falls. This act granted to the company a subsidy of \$150,000 "upon the express condition that said corporation, after the completion of said canal and locks as hereinbefore



set forth, shall not for a period of ten years after the same is completed, charge a greater rate of tolls than seventy-five cents per ton for all freight, and twenty cents for each passenger passing through said canal and locks in steamboats or other water craft." By the terms of the law \$100,000 were to have been expended on the work by January 1, 1870, and the whole enterprise completed by January 1, 1871. The works were not constructed under this act for the reason that the amount of aid was too small and the time for their completion too short.

This law was substantially reenacted in 1870 (see "Exhibit A" hereto attached), except that the aid given by the State was \$200,000 in gold bonds bearing interest at the rate of seven per cent per annum, payable semi-annually, the bonds to run ten years or less, at the option of the state, and to be paid from the fund arising from the sale of land donated to the state of Oregon by the United States for internal improvements. The limit of tolls was made fifty cents a ton for freight and ten cents for each passenger. A bond in the sum of \$300,000 was required and given that the work would be completed by January 1, 1873; and the work was so completed and accepted by a board of commissioners appointed by the governor as provided in the act. These commissioners were John Whitaker, L. Brooke, and George R. Helm, and after due examination they reported that the canal and locks were "completed in all respects as required by law, and in many respects on a more extensive plan than that required by the act referred to." From the date of their completion the canal and locks were open and doing business to the great advantage of the state.

The Willamette Transportation and Locks Company was incorporated December 28, 1875, by William Strong, W. H. Effinger, and Frank T. Dodge, and it was capitalized at \$1,000,000. The objects of this company were mainly the same as those of the Willamette Falls Canal and Lock Company. By a deed dated March 8, 1876, recorded in Clackamas county, the Willamette Falls Canal & Lock Company conveyed all its property, including the canal and locks on the west side of the Willamette falls, to the Willamette Transportation and Locks Company for the sum of \$500,000. Supplemental articles increasing the powers of the latter corporation were filed January 8, 1877, by J. C. Ainsworth, S. G. Reed, R. R. Thompson, and B. Goldsmith.

The Portland General Electric Company was incorporated August 5, 1892, by P. F. Morey, Frederick V. Holman, and Charles H. Caufield. Its authorized capital is \$4,250,000. Among the objects of this corporation are the owning and operating of the canal and locks on the west side of the Willamette falls, and the ownership,

use, and control of the water power of the falls for any useful purpose. The Willamette Transportation and Locks Company, by a deed dated August 24, 1892, conveyed to the Portland General Electric Company "for and in consideration of divers good and valuable causes and considerations and one gold dollar," certain real estate "together with all and singular the canal, locks, basin, breakwater, improvements, tenements, hereditaments, and appurtenances, and all water power and riparian rights thereunto belonging or in any wise appertaining."

So the present title to the canal and locks property is in the Portland General Electric Company. However, January 1, 1887, mortgage bonds to the amount of \$420,000 were issued to Elijah Smith by the Willamette Transportation and Locks Company, payable on or before January 1, 1899, and these still exist as a lien against the property.

#### IMPROVEMENT AND USE OF WATER POWER.

In 1889, the Willamette Transportation and Locks Company entered into contract with the Willamette Pulp and Paper Company whereby the latter obtained building sites adjoining the boat canal and the right to take water from the canal for use in manufacturing pulp and paper. The Crown Paper Company obtained similar rights in 1889. An excelsior and shoddy mill near the foot of the locks also gets its motive power from the canal. These manufactories use about 3800 horse power on contracts running from thirty to fifty years from January 1, 1887.

Several important improvements have been made to accommodate the industries located about the falls. In order to furnish sufficient water so that the mills on the lower reach of the canal might take the water required by them in manufacturing without interfering with navigation, a reënforcing flume was constructed in 1892, leading from the basin at the head of the canal into the main canal just below the upper pulp mill. A drift wing was also constructed on the east side of the river above the falls. It consists of bent work faced with sawed timber, all firmly anchored to the rock bottom, and extends into the stream, nearly parallel with the current of the main channel, a distance of 1,000 feet. The purpose of this drift wing is to force drift wood over the main spill-way of the falls. Its cost was \$10,000. Last summer a dam was built across the river near the brink of the falls. It is 2,500 feet long, is firmly fastened to the solid rock, and cost \$30,000. Though its real height is but one foot above the mean low water level, its effect, by stopping the flow through numerous seams and fissures in the rocks, is to raise the water about eighteen inches higher than before the dam

was constructed. This dam has greatly benefited navigation above the falls by raising the water in the river so as to overcome riffles that formerly existed in the channel a distance of about twenty-five miles above the falls to the detriment of navigation. It makes slack water where were formerly troublesome small rapids. Captains of all the steamboats plying on the upper Willamette river testify to this fact.

#### COST AND ANNUAL RECEIPTS.

The whole length of the canal and locks at the falls of the Willamette is 3,240 feet. The canal is 1,000 feet from the upper entrance to the first guard lock, thence to the first lift lock 1,500 feet, and at the lower end are four lift locks, each 40x210 feet and having a ten-foot lift. The canal is at no point less than forty feet wide. The engineer who had charge of the construction of the canal and locks, Captain Isaac W. Smith, of Portland, says the cost of actual construction was between \$300,000 and \$325,000. As nearly as can be ascertained now the cost of the right of way and incidental expenditures brought the total cost of the improvement up to about \$450,000. The annual receipts from tolls during the past six years, according to reports on file in the office of the secretary of state, have been as follows:—

For the year 1887-----	\$ 11,662 49
For the year 1888-----	19,771 56
For the year 1889-----	19,233 75
For the year 1890-----	15,054 93
For the year 1891-----	15,897 00
For the year 1892-----	12,871 75
	<hr/>
	\$ 94,491 48

Average annual receipts from tolls-----\$ 15,748 58

The ordinary annual expenditures are \$2,700 for labor in operating the canal and locks and fully \$1,000 for repairs. Deducting the sum of these from the average annual receipts from tolls leaves \$12,048.58, which is less than two and three fourths per cent on the investment, without allowing anything for salaries of officers of the corporation. So the state has not during these years received anything from the company under the provision of law requiring ten per cent of the net proceeds arising from tolls to be paid into the common school fund of the state. The only payment made under this provision was the sum of \$435 paid into the state treasury as ten per cent of the net profits for 1873. Since that time it is alleged there have been no net proceeds arising from the tolls at

the locks, and consequently no payments have been made to the state.

The right of way for the canal was acquired by condemnation proceedings in the circuit court for Clackamas county, and comprised a tract of land sixty feet wide along the length of the canal.

#### FURTHER IMPROVEMENTS.

Several important improvements of the water power and canal are to be made the present year. The canal is to be made eighty feet wider along 1,300 feet of its length, and a solid wall of masonry is to be constructed along a reach of the canal that is now sustained by a wooden wall that is decaying and allowing much leakage. The cost of this improvement is estimated to be between \$135,000 and \$150,000. Its effect will be to increase the volume of water carried in the canal so that there will be an abundance for both navigation and manufacturing purposes; to make the canal wide enough so that the largest boats may pass each other in opposite directions, thus facilitating the passage of craft through the canal and locks and to provide a permanent and substantial wall along a course of the canal where there is now a comparatively frail and insecure one. Another improvement contemplated for this year is the deepening and renewing of the lowest lock so as to make it safe and convenient for the passage of boats at the lowest stage of water, it being now dangerous for large boats at that stage. The latter improvement is estimated to cost about \$16,000. The widening of the canal and erection of the wall of masonry, and the renewing of the lowest lift lock, will be of great benefit to the property in the interest of navigation.

At the edge of the newly enlarged canal there will be erected this year a monster electric power station capable of generating 10,000 horse power. This will supersede the present electric power house on the east side of the falls in furnishing current to light the city of Portland and for operating electric railways between Oregon City and Portland, as well as supplying light, heat, and power for general purposes at the termini of the lines and at intermediate points. The present electric power station has a water wheel capacity of but 3175 horse power.

#### WATER POWER CAPACITY.

The total water power capacity of the Willamette river at the falls at Oregon City is about 56,000 horse power. This estimate is based on computations of United States engineers for the lowest stage of water during the dry season. The vertical fall is forty feet. Of the gigantic power at the falls less than 8,000 horse power

is now utilized in manufacturing on both sides of the river. In order to give a better idea of the importance of the great Oregon water power comparison is here made with several others that are well known:—

<i>Seat of power.</i>	<i>Horse power capacity.</i>	<i>Horse power used.</i>
Oregon City, Oregon-----	56,000	8,000
Spokane, Washington-----	30,000	-----
Minneapolis, Minnesota-----	25,000	25,000
Holyoke, Massachusetts-----	24,000	16,760
Lowell, Massachusetts-----	11,845	11,845

The progress of electrical science makes possible a much greater development of the Oregon City water power than could be realized from the direct application of water for motive power, because factories may be advantageously operated by electricity transmitted some distance through wires, and are not compelled to crowd upon the margin of the water, where sites are not always easily obtained, nor the most suitable for manufacturing purposes. The great enterprise at Oregon City is a pioneer in this special line of utilizing water power. The value of Oregon City manufactures this year will be about \$3,000,000.

#### EFFECT ON TRANSPORTATION RATES.

The transportation rates in effect on the Willamette river before the construction of the canal and locks at the falls at Oregon City are not now available. From the testimony of persons acquainted with the conditions then existing, however, it is ascertained that the building of the Oregon and California Railroad in 1870, together with the unusual competition on the river on account of the prospective opening of the stream to continuous navigation, had the effect of reducing freight rates in 1870 and 1871 to about one half what they had previously been. The circumstances seem to indicate that the reduction in freight rates was due more to competition in carrying than to the construction of the locks. But most raw materials and many manufactured articles can always be more cheaply carried by water than by rail, where ordinary conditions prevail, and the presence of the waterway in the Willamette valley has the effect of keeping freight rates much lower than they would be without this influence. And this value of the waterway as a regulator of traffic charges would be reduced or totally destroyed by any impassable barrier to continuous navigation. Hence the canal and locks at Willamette falls give the river about the same office that a wholly free channel would have. A comparison of transportation rates on

grain by rail on different roads and by steamer on the river will illustrate this point.

From Salem to Portland, by steamer, distance sixty miles, the rate is eight and three fourth cents a hundred.

From Salem to Portland, by rail, distance fifty-two miles, the rate is nine cents a hundred in carload lots.

In Southern Oregon, where the river influence does not operate, from Grants Pass to Ashland, distance forty-five miles, the rate is ten cents a hundred.

The Union Pacific charges ten and one half cents a hundred for a fifty-mile haul, and before being compelled by the board of railroad commissioners to lower its rate it charged thirteen cents a hundred.

The Columbia river also carried considerable freight of this class, but the cascades and the dalles so bind that stream that it has comparatively little effect as a regulator of transportation charges.

Under the law granting a subsidy for the construction of the canal and locks at Oregon City, the state reserved the right to purchase the works at the expiration of twenty years from the date of their completion. This period expired the first of last January. If it is desired at this time to take steps toward the acquisition of the canal and locks property, we recommend the passage of senate bill No. 196, after amending section 5 so as to read as follows:—

Section 5. "That the action hereby and herein authorized to be brought, shall be instituted in the county where said canal and locks are situated."

Respectfully submitted,

H. E. CROSS,  
J. H. RALEY,  
JOHN GILL,  
GEO. J. CURRIN,  
Committee.

While concurring in the foregoing report, I, the undersigned, would recommend that the limit fixed in section 10 of senate bill No. 196, whereby a sum not exceeding \$200,000 is appropriated to accomplish the purposes of the act be removed. It would seem to me to be little less than farcical for the state to go to the expense of prosecuting an action in the courts without being prepared to act upon the results of the suit. The incidental expenses of carrying into effect the provisions of this act would be considerable, leaving the sum to be applied to the actual purchase of the canal and locks property materially reduced from \$200,000. This amount might be less than the value of the canal and locks as determined by the



courts, and the board of canal commissioners would then be powerless to act under this law, and the expense incurred in arriving at this unsatisfactory result would simply be the waste of so much money. I favor the removal of this limitation to the action of the board of canal commissioners.

Respectfully submitted,

H. E. CROSS.

From the best information we are able to obtain, we desire to report that in our opinion the state of Oregon should not purchase the said canal and locks at this time for the following reasons: In our opinion, it would be a useless expenditure of money and would not avail the state enough to warrant the purchase of the same; neither can we recommend the plan of purchase as indicated by senate bill No. 196.

L. H. RUSSELL.

#### EXHIBIT A.

An act to appropriate funds for the construction of a steamboat canal at the Willamette falls.

Whereas the Willamette Falls Canal and Lock Company was duly incorporated under the laws of Oregon on the fourteenth day of September, 1868, for the purpose of constructing a canal and locks at and on the west side of the Willamette falls; and whereas it is of great importance to the people of Oregon that the obstructions to free navigation of the Willamette river at that place should be removed and freights carried on said river should be cheapened; therefore,

*Be it enacted by the Legislative Assembly of the State of Oregon:*

Section 1. That the state of Oregon hereby agrees and pledges its faith to pay the Willamette Falls Canal and Lock Company the sum of money, in gold coin, as hereinafter set forth, out of the funds donated by the United States to the state of Oregon for internal improvements.

Section 2. In order to entitle the said corporation to receive the sum of money hereby agreed to be paid, it shall be the duty of said corporation to construct a canal and locks at and on the west side of the Willamette falls; the said locks to be not less than one hundred and sixty feet in length, and forty feet in width, and to be constructed chiefly of stone, cement, and iron, and otherwise built in a durable and permanent manner; the said canal and locks to be completed on or before the first day of January, 1873. And

after the completion of the same, the said corporation shall pass without delay through the said canal and locks, all steamboats, flatboats, barges, and other water craft, in the order in which they shall arrive at either terminus of said canal.

Section 3. The state of Oregon agrees to pay the said sum of money upon the express condition that the said corporation, after the completion of the said canal and locks, as hereinafter set forth, shall not charge a greater rate of tolls than fifty cents per ton for freight, and ten cents for each passenger going through said canal and locks in steamboats or other water craft. And at the expiration of twenty years from the time said canal and locks are completed, the state of Oregon shall have the right and privilege to take and appropriate to its own use forever the said canal and locks, upon the payment to the said corporation the actual value thereof at the time of taking and appropriating the same, which value shall be ascertained in such manner as the legislative assembly of Oregon may hereafter prescribe.

Section 4. Within ninety days after the approval of this act, the Willamette Falls Canal and Lock Company shall execute and deliver to the secretary of state a good and sufficient bond, with sureties, payable to the state of Oregon, in the sum of three hundred thousand dollars, in gold coin of the United States, said bonds to be approved by the governor of this state, conditioned that the said company shall, on or before the first day of January, 1873, construct and complete said canal and locks, in accordance with the provisions of this act. Upon the delivery and approval of said bond, the governor and secretary of state shall issue and deliver to the said Willamette Falls Canal and Lock Company gold bonds of the state of Oregon for the sum of two hundred thousand dollars, in bonds of five hundred dollars each, payable to said canal and lock company, or its legal assigns, in ten years or sooner, at the option of the state, bearing interest at the rate of seven per cent per annum, payable semi-annually in gold. Principal and interest of said bonds shall be paid out of the fund arising from the five per centum of the net proceeds of the sale of the public lands of the United States lying within this state, or out of the fund arising out of the sale of the five hundred thousand acres of land donated to the state of Oregon by act of congress for the purpose of internal improvements, and not otherwise, or from both of said funds, and not otherwise.

Section 5. The faith of the state of Oregon is hereby pledged so to administer said funds as to make them available at the earliest period for the payment of said bonds by this act authorized to be issued, upon the express condition that said corporation shall con-



struct said canal and locks in the manner before provided in this act, and not charge a greater rate of tolls than is herein set forth. And it is further provided that the issuance and payment of said bonds shall be made upon the express condition that said corporation shall pay to the state of Oregon ten per centum of the net profits arising from the tolls collected from passing freights and passengers through said canal and locks, which sum of ten per centum of net profits shall be paid into the common school fund of this state.

Section 6. The said canal and lock company shall be required to fully complete said canal and locks, according to the requirements of this act, on or before the first day of January, 1873; and if the above condition is not complied with, the bonds required by this act to be given by said corporation to the state of Oregon shall be deemed to be forfeited and broken, and all the rights given to said company by the state under this act shall be deemed forfeited.

Section 7. Upon the completion of the said canal and locks, the governor shall appoint three commissioners to examine the works and report thereon; and if, from the report of said commissioners, or a majority of them, the works are declared to be completed as hereinbefore specified, then said corporation shall be discharged from all liability on its bond executed to the state of Oregon.

Section 8. The sum of fifty thousand dollars is hereby appropriated out of any moneys in the treasury belonging to said funds hereinbefore specified, to be applied in payment of the interest on said bonds, and in payment of the principal of said bonds as far as the same shall extend.

Section 9. In case the state of Oregon shall at any time take possession of said canal and locks as provided in this act, the said sum of two hundred thousand dollars shall be paid into the common school fund of this state by the state of Oregon.

Approved October 21, 1870.

#### SENATE BILL NO. 196.

Introduced by Mr. Weatherford, and read first time January 30, 1893.

A bill for an act to authorize the state of Oregon, through its board of canal commissioners, to take and appropriate to its own use the Willamette falls and locks, to ascertain their value, to pay for and operate the same, to regulate the rates of toll, and to exercise all the necessary supervision and control over the same in all manner necessary to the procurement of their full earning revenue, to sue for and condemn private or any property for all purposes

necessary in any way connected therewith, to charge and collect tolls for freight and passengers passing through the same, and to appropriate money therefor.

*Be it enacted by the Legislative assembly of the State of Oregon :*

Section 1. That the governor, seeretary of state, and state treasurer of the state of Oregon, and their successors in office, constituting and comprising the board of canal commissioners, shall have full power and authority to do and perform all the acts and things hereinafter mentioned for and in the name of and on behalf of the state of Oregon.

Section 2. That the board of canal commissioners shall, immediately after the taking effect of this act, or as soon therefor as may be practicable, ascertain the value of the Willamette falls canal and locks, constructed pursuant to an act of the legislative assembly of the state of Oregon, entitled "An act to appropriate funds for the construction of a steamboat canal at Willamette falls," approved October 21, 1870, as follows: They shall ascertain the amounts received during the year 1892 from tonnage and passenger traffic by the Willamette Falls Canal and Lock Company, or any person, corporation, or firm claiming under such corporation, deducting therefrom the expense of their operation, as well as the amount necessary, if any, to put them in complete repair and running order, and thereupon the said board shall pay to the present owner or owners of the said canal and locks as payment in full such sum of money which at six per cent interest would bring the net amount ascertained to be remaining from the calculation above described.

Section 3. That thereupon the said board of canal commissioners shall take possession and charge of the Willamette falls canal and locks, and shall control and operate the same.

Section 4. That if the said Willamette Falls Canal and Lock Company, or any person, firm, or corporation claiming title to said Willamette falls canal and locks, shall refuse to accept the sum ascertained as the value thereof as herein prescribed, and shall refuse to surrender the possession thereof to the said board of canal commissioners upon the tender of said sum so ascertained, then and in that event the said board of canal commissioners are authorized and directed immediately thereafter, for and on behalf of the state, and in its name, to condemn by suit or action, the said Willamette falls canal and locks, together with so much lateral space on each side thereof as may be necessary or convenient for their convenient and proper maintenance, use, and operation the whole length of said canal, in the same way and manner as is now provided by the laws of this state for the condemnation of land and rights of way

by other corporations for public use, and the compensation ascertained and paid in the same way and manner as is now provided by law in condemnation proceedings, except that the compensation so ascertained to be paid is to be paid by a deposit in court of an order duly drawn upon the state treasurer for the amount of such compensation.

Section 5. That the action hereby and herein authorized to be brought may be instituted in any circuit court in the state which the said board of commissioners may elect.

Section 6. That the said board of canal commissioners shall, as soon as possession thereof is obtained, use and exercise control of the said Willamette falls canal and locks for and in behalf of the state, and shall have the right and it shall be their duty to fix tolls for traffic through said canal and locks, and if not incompatible with the best interests of the state to so fix said rates of toll as to realize a sufficient revenue to pay a reasonable rate of interest on the amount invested therein, the operating expenses, and the necessary cost of keeping said canal and locks in good repair.

Section 7. That the board of canal commissioners shall have authority to lease to any incorporated city, person, or corporation, for any purpose they may desire, the privilege of using any water power controlled by said canal and locks, or appertaining or belonging thereto at a fair and reasonable compensation, for such time as they may deem best, not exceeding ten years.

Section 8. That the board shall have the power to appoint a superintendent of the said canal and locks, and fix his compensation, shall have power to authorize him to employ the necessary help, and shall require of such superintendent good and sufficient bonds for the faithful performance of duty.

Section 9. That the board shall have authority to institute in behalf of the state and in its name any action, suit, or proceeding against any person, firm, or corporation infringing on the rights of the state pertaining to said canal and locks, or for any other purpose necessary to protect the rights and interests of the state in and about the premises.

Section 10. That there be and is hereby appropriated out of the general fund for the uses and purposes aforesaid, the sum of two hundred thousand dollars (\$200,000), and the secretary of state is hereby authorized to draw warrants on the treasurer for the said sum or any part thereof.

Section 11. Inasmuch as the public interest and welfare of the state urgently demand that the state shall control the navigation of the waters of the Willamette river, this act shall take effect and be in force from and after its approval by the governor.

On motion of Mr. Butler, five hundred copies of the report were ordered printed.

By unanimous consent, Mr. Blackman, by request, introduced senate joint resolution No. 11.

SENATE JOINT RESOLUTION NO. 11.

Whereas the Oregon pioneer association of this state, composed of its early settlers, deriving its sole revenues from contributions of its members, after a corporate existence of about twenty-one years, finds its treasury depleted and its membership so diminished by death as to be unable to print the proceedings of its annual reunions of 1891 and 1892; whereas said proceedings contain much valuable historical matter concerning the early history of our state; therefore, be it

*Resolved by the Senate, the House concurring,* That the sum of five hundred dollars (\$500) be appropriated from the general fund for the use and benefit of said Oregon pioneer association in printing the proceedings of their annual reunions of 1891 and 1892; *provided,* that no part thereof shall be used in the payment of salaries of its officers, or for other purposes than that herein mentioned.

Mr. Blackman moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cross, Dodson, Gates, Hirsch, Looney, Maxwell, McGinn, Willis, Woodard, and Mr. President—14.

Nays—Messrs. Beckley, Cogswell, Hayes, Huston, McAlister, Raley, Smith, Vanderburg, Veatch, and Weatherford—10.

Absent—Messrs. Butler, Crosno, Denny, Matlock, Myers, and Steiwer—6.

The senate refused to adopt.

By unanimous consent, Mr. Willis introduced senate resolution No. 27.

SENATE RESOLUTION NO. 27.

*Resolved,* That the secretary of state be and he hereby is requested to procure to be bound in board as soon as practicable a sufficient number thereof, and furnish to each member and officer of this senate a copy of all the documents, journals, and session laws of this session of this legislative assembly.

On motion of Mr. Willis, the resolution was adopted.

On motion of Mr. Weatherford, the senate adjourned.

O. P. MILLER,  
Chief clerk.

## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

The senate was called to order at 2 o'clock P. M. by the president.  
The roll was called, and all the senators were present except Messrs. Butler, Matlock, and Steiwer

Mr. Looney asked leave of absence for Mr. Steiwer.

The leave was granted.

Mr. Cogswell, chairman of the committee on federal relations, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on federal relations, to whom was referred house joint resolution No. 8, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

Strike out the words "in the county where they reside," in the last line of the original resolution, and insert in lieu thereof the following words: "where they have resided for thirty days next preceding the election," so that section 17 shall read as follows:

Section 17. "All qualified electors shall vote in the election precinct where they have resided for thirty days next preceding the election."

C. A. COGSWELL,  
Chairman.

On motion of Mr. Cogswell, the report was adopted.

Mr. Cogswell moved that the senate concur in the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Cross, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McAlister,

McGinn, Smith, Vanderburg, Weatherford, Woodard, and Mr. President—20.

Nays—Messrs. Veatch and Willis—2.

Absent—Messrs. Butler, Crosno, Denny, Matlock, Myers, Raley, and Steiwer—7.

Not voting—Mr. Huston—1.

So the resolution was adopted.

By unanimous consent, Mr. Huston introduced senate concurrent resolution No. 21.

#### SENATE CONCURRENT RESOLUTION NO. 21.

Whereas in the year 1848 many of the citizens of Oregon left their homes, and at great expense and privation took part in what is known as the "Cayuse war," and assisted in bringing said war to a successful issue; and whereas many of the veterans of said war are old and infirm, and unable to earn their own living; therefore, be it

*Resolved by the Senate, the House concurring,* That the congress of the United States be and it is hereby requested to pass a law pensioning the surviving veterans of said war upon the same conditions as they are now given to the veterans of the late war; that our senators and representatives be requested to labor to that end, and that the secretary of state be instructed to transmit a copy of these resolutions to our senators and representatives in congress.

On motion of Mr. Huston, the resolution was adopted.

Senate bill No. 110 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cogswell, Hirsch, Maxwell, McAlister, McGinn, Myers, Raley, Vanderburg, Weatherford, Willis, and Woodard—15.

Nays—Messrs. Butler, Cameron, Gates, Hayes, Huston, Looney, Smith, and Mr. President—8.

Absent—Messrs. Crosno, Cross, Denny, Matlock, Steiwer, and Veatch—6.

Not voting—Mr. Dodson—1.

So the bill failed to pass.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 14, 1893.

*Mr. President:*

I am directed by the speaker to inform you that the house has

refused to concur in the senate's amendments to house joint resolution. No. 8.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. Cogswell, the senate adhered to the amendments.

Mr. Cogswell moved that a committee of conference be appointed. Carried.

The president appointed as such committee Messrs. Gates and Cogswell.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 4, 48, 78, and 127.

And the same are herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced he was about to sign senate bills Nos. 4, 48, 78, and 127, and soon thereafter that he had signed them.

Mr. Willis moved that vetoed house bill No. 11 be now taken from the table.

Motion lost.

On motion of Mr. Weatherford, senate bill No. 196 was taken from the table.

Senate bill No. 196 was read third time.

By unanimous consent, Mr. Cross submitted the following amendment:—

#### AMENDMENT.

Section 4. That the action hereby and herein authorized to be brought shall be instituted in the circuit court where the property to be condemned is situated.

There being no objection, the chief clerk inserted the amendment.

Mr. Bancroft moved that further consideration of senate bill No. 196 be indefinitely postponed.

Messrs. Veatch and Weatherford called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:



Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Denny, Dodson, Hayes, Huston, Maxwell, Raley, Smith, Woodard, and Mr. President—16.

Nays—Messrs. Cogswell, Cross, Gates, Looney, McGinn, Myers, Vanderburg, Veatch, Weatherford, and Willis—10.

Absent—Messrs. Hirsch, Matlock, McAlister, and Steiwer—4.

The motion prevailed and further consideration of senate bill No. 196 was indefinitely postponed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has amended senate concurrent resolution No. 20, by making the hour of final adjournment Saturday, February 18, 1893, at 10 o'clock A. M., and has adopted the same as amended.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

Mr. Weatherford moved that the senate do not concur.  
The motion prevailed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February —, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has appointed as a committee of conference on the part of the house on amendment to house joint resolution No. 8, Messrs. Lawton and Sheridan.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has refused to recede from its amendment to senate concurrent resolu-



tion No. 20, and requests a committee of conference thereon, and the speaker has appointed as such committee on the part of the house, Messrs. Manley and Staats.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. Cogswell, the senate acceded to the request.

The president appointed as committee of conference, Messrs. Willis and Veatch.

Mr. Veatch moved that the rules be suspended and the committee on railroads be ordered to return to the senate senate bill No. 112, and be discharged from further consideration of this bill.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Butler, Cameron, Cogswell, Denny, Huston, Looney, McAlister, Myers, Smith, Vanderburg, Veatch, and Weatherford—14.

Nays—Messrs. Alley, Bancroft, Crosno, Dodson, Gates, Hayes, McGinn, Willis, and Mr. President—9.

Absent—Messrs. Cross, Hirsch, Matlock, Maxwell, Raley, Steiwer, and Woodard—7.

So the senate refused to suspend the rules and order senate bill No. 112 returned to the senate.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 246,—a bill for an act to provide for and to regulate convict labor in the penitentiary.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 246 was read first time and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house bill No. 361,—a bill for an act to define the duties and fix the compensation of state printer.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 361 was read first time and passed to second reading without question.

Mr. Cogswell moved that the rules be suspended and that house bill No. 361 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Huston, Looney, Maxwell, McAlister, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—24.

Absent—Messrs. Cross, Hayes, Hirsch, Matlock, McGinn, and Steiwer—6.

So the rules were suspended and house bill No. 361 was read second time by title only.

Mr. Denny moved to refer house bill No. 361 to the committee on federal relations.

Mr. Cogswell moved to amend by referring house bill No. 361 to the committee on judiciary.

The motion to amend prevailed.

The motion as amended was adopted and the bill referred to the committee on judiciary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 14, 1893.

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 48,—a bill for an act to regulate the hours of labor upon street railways owned or operated by any company incorporated under the incorporation laws of the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 48 was read first time and passed to second reading without question.

Senate bill No. 65 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Cameron, Cogswell, Crosno, Denny, Dodson, Huston, Looney, Maxwell, McAlister, McGinn, Raley, Smith, Vanderburg, Willis, and Mr. President—17.

Nays—Messrs. Beckley, Butler, Cross, Myers, Veatch, and Weatherford—6.

Absent—Messrs. Blackman, Gates, Hayes, Hirsch, Matlock, Steiwer, and Woodard—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Raley, senate bill No. 53 was taken from the table.

Senate bill No. 53 was referred to the special committee appointed under senate resolution No. 23.

Senate bill No. 225. Mr. Vanderburg. (By unanimous consent.) An act to provide for the assessment and collection of taxes on credits from the debtor class and constitutes such debtors agents of the creditors for that purpose, and providing for the manner of reimbursing debtors for taxes so paid.

Mr. Vanderburg moved that the rules be suspended and that senate bill No. 225 be read first time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Huston, Looney, Maxwell, McAlister, McGinn, Raley, Smith, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Blackman, Gates, Hirsch, Matlock, Myers, Steiwer, and Veatch—7.

So the rules were suspended and senate bill No. 225 was read first time by title only.

Mr. Vanderburg moved that the rules be further suspended and that senate bill No. 225 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Hayes, Huston, Looney, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Absent—Messrs. Cross, Gates, Hirsch, Matlock, and Steiwer—5.

So the rules were suspended and senate bill No. 225 was read second time by title only.

On motion of Mr. Vanderburg, the bill was referred to the committee on assessments.

On motion of Mr. Vanderburg, senate bill No. 225 was ordered not printed.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 169, 191, and 207, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

Mr. Blackman moved that when the senate adjourn it be to meet at 7:30 P. M.

Carried.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has amended senate concurrent resolution No. 21 by adding after the word "Cayuse" the words "and the Rogue river," and has adopted the same as amended.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. Huston, the senate concurred in the amendment.

Mr. Willis, chairman of the committee on assessments, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on assessments, to whom was referred senate bill No. 221, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate, pursuant to an order of the senate made February 13, 1893.

P. L. WILLIS,  
Chairman.

On motion of Mr. Myers, senate bill No. 221 was ordered engrossed and to third reading tomorrow.

Mr. Willis, chairman of the committee on assessments, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on assessments, to whom was referred house bill No. 357, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Amend section 1 so as to read as follows:

Section 1. That section 2789 of the laws of Oregon, as compiled by W. Lair Hill, be and the same is hereby amended so as to read as follows:

Sec. 2789. It shall be the duty of the governor, the secretary of state, and the state treasurer, acting jointly, in each year, immediately after the assessments of property have been finally equalized, to ascertain by computation, as hereinafter provided, the total amount of revenue necessary for state purposes, including the sum of thirty thousand dollars for the current expenses of the Oregon national guard, and the sum of thirty thousand dollars for the current expenses of the university of Oregon, also the resulting rate of taxation, in mills and decimals of a mill, to be levied upon each dollar of assessable property subject to taxation, necessary to raise such revenue for the fiscal year for which said levy of taxes is

made; and the said sums so to be raised for the support of the Oregon national guard and the university of Oregon are hereby appropriated for such purposes only. It shall be the duty of the aforesaid state officers, at the time they make such computation and levy, to apportion the sums so to be raised for all the said purposes among the several counties according to the amount of real and personal property subject to taxation therein, as shown by the assessment rolls of the several counties after the same have been finally equalized.

#### AMENDMENT.

Amend section 2 so as to read as follows:

Section 2. That section 2790 of the laws of Oregon, as compiled by W. Lair Hill, be amended so as to read as follows:

Sec. 2790. In computing the amount of revenue necessary for state purposes, the aforesaid state officers shall proceed as follows:

First—Prepare a tabular statement, consisting of all the items of expenses given separately, to which the state will be subject under existing laws for the fiscal year next after that year for which the last preceding state levy of taxes was computed and declared; also all items of deficiency, including interest on unpaid warrants left over from the previous year, the payment of which has been authorized by law; and also the sum of thirty thousand dollars for the current expenses of the Oregon national guard, and the sum of thirty thousand dollars for the support of the university of Oregon; and also when such levy is made on the assessment of an even year, the estimated expense of one biennial session of the legislative assembly; and also when such levy is made on the assessment of an even year, the estimated total cost, not exceeding two hundred thousand dollars, of such additional public buildings of the state as the said state officers shall believe it to be necessary to make during the fiscal year for which such levy of taxes is computed.

Second—From the sum total of the aforesaid items shall be deducted any surplus remaining in the treasury, from all funds however derived, not applied by law to some special purpose.

Third—The remainder so obtained shall be the total amount of revenue to be raised the next ensuing year for state purposes which are not provided for by special taxation duly authorized by law, and such remainder shall be apportioned among the several counties of this state according to the total amount of taxable property in each, and shall be levied and collected in each of said counties in the manner other taxes are levied and collected, and paid over to the state treasurer. If any county shall fail to pay to

the state treasurer its entire apportionment of said taxes within thirty days after the date prescribed therefor in section 2813 of Hill's annotated laws of Oregon, the unpaid balance shall be deemed delinquent, and said county shall pay interest thereon from such date until paid; but the payment of such interest shall not relieve the county treasurer of any county from any penalty imposed by law for failure to pay said taxes as required by law.

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, the report was adopted.

House bill No. 357 passed to third reading.

Mr. McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 107 and 77, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Mr. McGinn moved that the rules be suspended and that house bill No. 107 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hayes, Huston, Looney, McAlister, McGinn, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Absent—Messrs. Denny, Hirsch, Matlock, Maxwell, and Steiwer—5.

So the rules were suspended, and house bill No. 107 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Huston, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Vanderburg, Willis, Woodard, and Mr. President—22.

Nays—Messrs. Hayes, Looney, and Veatch—3.

Absent—Messrs. Denny, Hirsch, Matlock, Steiwer, and Weatherford—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 58 coming on for second reading, was read second time.

On motion of Mr. Smith, the bill was referred to the committee on agriculture.

House bill No. 302 coming on for second reading, was read second time..

On motion of Mr. Cogswell, the bill was referred to the committee on judiciary.

House bill No. 306 coming on for second reading, was read second time.

On motion of Mr. Cogswell, the bill was referred to the committee on judiciary.

House bill No. 250 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on military affairs.

House bill No. 171 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on assessments.

House bill No. 296 coming on for second reading, was read second time.

On motion of Mr. Cogswell, the bill was referred to the committee on education.

House bill No. 164 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on assessments.

House bill No. 223 coming on for second reading, was read second time.

On motion of Mr. Hayes, the bill was referred to the committee on commerce.

House bill No. 318 coming on for second reading, was read second time.

On motion of Mr. Vanderburg, the bill was referred to the committee on claims.

House bill No. 343 coming on for second reading, was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on assessments.



House bill No. 331 coming on for second reading, was read second time.

On motion of Mr. Huston, the bill was referred to the special committee appointed to investigate the affairs of the asylum.

Senate bill No. 172 coming on for second reading, was read second time.

On motion of Mr. Willis, the bill was referred to the committee on judiciary.

House bill No. 377 coming on for second reading, was read second time.

On motion of Mr. Cameron, the bill was ordered to third reading tomorrow.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 169, 191, and 207.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign senate bills Nos. 169, 191, and 207, and soon thereafter that he had signed them.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 38, with the following amendments:—

#### AMENDMENT.

Amend senate bill No. 38 by fixing the salary of the treasurer of Marion county at \$1,000, to take effect in 1894.

#### AMENDMENT.

By Mr. Nickell of Jackson—Increase treasurer of Jackson from \$500 to \$600.

**AMENDMENT.**

In line 4 of the printed bill, after the words "Curry county," insert \$250 instead of \$300.

**AMENDMENT.**

In line 6 of the printed bill, after the words "Jackson county," insert \$500 instead of \$600 as amended.

**AMENDMENT.**

In line 7 of the printed bill, after the words "Marion county," insert \$1,200 instead of \$1,000 as amended.

**AMENDMENT.**

Amend that portion of the bill which refers to salary of treasurer of Jackson county by inserting \$600 in lieu of \$500.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. Maxwell, senate bill No. 38 was referred to the committee on counties to consider the amendments.

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 5.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 5 was ordered enrolled.

On motion of Mr. Raley, the senate adjourned.

O. P. MILLER,  
Chief clerk.

## EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

The senate was called to order at 7:30 o'clock P. M. by the president.

The roll was called, and all the senators were present except Mr. Steiwer, who was absent on leave.

Messrs. Woodard and Hirsch were excused for the evening.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has requested the return of house joint resolution No. 8.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. Cogswell, house joint resolution No. 8 was ordered returned to the house for their consideration.

Senate bill No. 357 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Maxwell, McAlister, McGinn, Myers, Smith, Veatch, Willis, Woodard, and Mr. President—23.

Nays—Messrs. Beckley, Vanderburg, and Weatherford—3.

Absent—Messrs. Hayes, Matlock, Raley, and Steiwer—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 4 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McGinn, Myers, Raley, Smith, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—24.

Nays—Messrs. Beckley, Cross, Matlock, McAlister, and Veatch—5.

Absent—Mr. Steiwer—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 106 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Hayes, Hirsch, Looney, Matlock, Maxwell, McGinn, Smith, Vanderburg, Weatherford, Woodard, and Mr. President—21.

Nays—Mr. Veatch—1.

Absent—Messrs. Denny, Gates, Huston, McAlister, Myers, Raley, Steiwer, and Willis—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 109 coming on for third reading, was, on motion of Mr. Bancroft, laid on the table.

House bill No. 56 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McAlister, McGinn, Raley, Smith, Vanderburg, Veatch, Weatherford, and Mr. President—23.

Nays—None.

Absent—Messrs. Denny, Matlock, Myers, Steiwer, Willis, and Woodard—6.

Not voting—Mr. Blackman—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 41 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Butler, Cameron, Cogswell, Crosno, Cross, Hayes, Looney, Matlock, Maxwell, McAlister, Myers, Smith, and Vanderburg—15.

Nays—Messrs. Alley, Blackman, Denny, Dodson, McGinn, Raley, Veatch, Weatherford, Willis, and Mr. President—10.

Absent—Messrs. Gates, Hirsch, Huston, Steiwer, and Woodard—5.  
So the bill failed to pass.

House bill No. 102 coming on for third reading, was read third time.

Mr. Cogswell asked unanimous consent to strike out the last two lines of printed bill.

Objections were made and amendment withdrawn.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Blackman, Crosno, Denny, Dodson, Huston, Matlock, Maxwell, McAlister, McGinn, Raley, Smith, Vanderburg, Weatherford, Willis, and Mr. President—16.

Nays—Messrs. Alley, Beckley, Butler, Cameron, Cogswell, Cross, Hayes, Looney, Myers, and Veatch—10.

Absent—Messrs. Gates, Hirsch, Steiwer, and Woodard—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The committee on conference appointed to consider the house amendments to senate concurrent resolution No. 20, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. President:*

February —, 1893. }

Your conference committee to whom was referred the question of the time of final adjournment of this session, beg leave to report that we have had the matter under consideration, and have agreed and do recommend to each branch of your honorable body that the time of final adjournment be fixed at 10 o'clock A. M. on Saturday, the 18th instant, but that no bill be passed by either branch or house after 12 o'clock midnight on Friday, the 17th instant.

P. L. WILLIS,  
R. M. VEATCH,  
A. B. MANLEY,  
J. O. STAATS,  
Joint committee.

On motion of Mr. Willis, the report was adopted.

House bill No. 166 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were;

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Vanderburg, Weatherford, Willis, and Mr. President—25.

Nays—Mr. Veatch—1.

Absent—Messrs. Gates, Hirsch, Steiwer, and Woodard—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Bancroft, the vote by which house bill No. 41 failed to pass was reconsidered.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Vanderburg, Veatch, and Weatherford—22.

Nays—Messrs. Cameron, McGinn, Willis, and Mr. President—4.

Absent—Messrs. Gates, Hirsch, Steiwer, and Woodard—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 127 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Crosno, Denny, Dodson, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford, Willis, and Mr. President—24.

Absent—Messrs. Cameron, Gates, Hirsch, Steiwer, and Woodard—5.

Not voting—Mr. Cross—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 8 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Crosno, Cross, Denny, Dodson, Hayes, Looney, Maxwell, McAlister, Raley, Smith, Weatherford, Willis, and Mr. President—17.

Nays—Messrs. Vanderburg and Veatch—2.

Absent—Messrs. Cameron, Cogswell, Gates, Hirsch, Matlock, McGinn, Myers, Steiwer, and Woodard—9.

Not voting—Messrs. Alley and Huston—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 5, 83, 88, 119, 151, 183, 193, 211, and 154, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has receded from its action in refusing to concur in the senate amendments to house joint resolution No. 8, and has concurred in the same.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 28,—requesting secretary of state to change the word “Yakima” to “Yaquina” on the map in the “Resources of Oregon” in all of said books published or to be published where it occurs.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 28.

Whereas the map annexed to the book entitled "The Resources of Oregon," published by authority, is defective in the particular that said map makes the "Yaquina bay" in Benton county read "Yakima bay"; therefore, be it

*Resolved by the House, the Senate concurring,* That the secretary of state be and is hereby requested and authorized to change the word "Yakima" to that of "Yaquina" in all of the said books published or to be published, where it occurs as aforesaid.

On motion of Mr. Willis, the senate concurred in the adoption of house concurrent resolution No. 28.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate amendments to house bill No. 56.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 12.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 12 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 141,—a bill for an act to incorporate the city of Portland.



And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 141 was read first time.

Mr. Willis moved that the rules be suspended and that house bill No. 141 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Huston, Looney, Matlock, McAlister, McGinn, Smith, Vanderburg, Veatch, Weatherford, Willis, and Mr. President—22.

Absent—Messrs. Cameron, Gates, Hirsch, Maxwell, Myers, Raley, Steiwer, and Woodard—8.

So the rules were suspended and house bill No. 141 was read second time by title only.

On motion of Mr. Willis, the bill was referred to a special committee consisting of the senators from Multnomah county.

By unanimous consent, house bill No. 218 was taken up and read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cogswell, Crosno, Dodson, Hayes, Looney, Matlock, McAlister, McGinn, Smith, Veatch, Weatherford, Willis, and Mr. President—17.

Nays—Messrs. Beckley, Denny, and Vanderburg—3.

Absent—Messrs. Cameron, Cross, Gates, Hirsch, Huston, Maxwell, Myers, Raley, Steiwer, and Woodard—10.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 107.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bill No. 107, and soon thereafter that he had signed the same.

On motion of Mr. Veatch, the senate adjourned.

O. P. MILLER,  
Chief clerk.

WEDNESDAY, FEBRUARY 15, 1893.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

The senate was called to order at 10 o'clock A. M. by the president.

The roll was called, and all the senators were present except Messrs. Crosno, Hirsch, and Weatherford.

The senate was opened with prayer by Rev. Mr. Bowersox.

On motion of Mr. Alley, the reading of the journal was dispensed with.

House bill No. 284 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—28.

Nays—None.

Absent—Messrs. Crosno and Weatherford—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Dodson, chairman of the committee on counties, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 38, with the house amendments, beg leave to report that we

have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

AMENDMENT.

In line 4 of printed bill, after the words "Curry county," insert "\$250."

AMENDMENT.

In line 6 of printed bill, after the words "Jackson county," insert "\$500."

AMENDMENT.

In line 7 of printed bill, after the words "Marion county," insert "\$1,200."

O. M. DODSON,  
Chairman.

On motion of Mr. Dodson, the report was adopted.

On motion of Mr. Maxwell, the senate concurred in the house amendments.

Senate bill No. 38 was ordered enrolled.

Mr. Dodson, chairman of the committee on counties, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on counties, to whom was referred house bill No. 299, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. M. DODSON,  
Chairman.

On motion of Mr. Dodson, further consideration of senate bill No. 299 was indefinitely postponed.

Mr. Gates, chairman of the committee on conference, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on conference on house joint resolution No. 8,

report that we have met the committee appointed on the part of the house, and after fully considering the matter of difference have unanimously agreed to report a recommendation that the house do concur in senate amendments to said joint resolution.

P. P. GATES,  
C. A. COGSWELL,

Committee on part of senate.

On motion of Mr. Cogswell, the report was placed on file.

On motion of Mr. Weatherford, senate resolution No. 24 was taken from the table.

On motion of Mr. Weatherford, the resolution was amended by striking out the word "twenty" and inserting in lieu thereof the word "ten."

The resolution as amended was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 83, 88, 5, 183, 211, 193, 151, 154, and 119.

And the same are herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign senate bills Nos. 83, 88, 5, 183, 211, 193, 151, 154, and 119, and soon thereafter that he had signed the same.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 85.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 85 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 33.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 33 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate amendments to house bill No. 357.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 339,—a bill for an act to prescribe a salary for the county clerk and sheriff of Lane county, Oregon, and to divert the fees now received by them into the county treasury of Lane county.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 339 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 335,—a bill for an act to legalize school district boundaries in Jackson county, Oregon, heretofore established by the county commissioners court of said county.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

House bill No. 335 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 267,—a bill for an act to regulate the fees of the county clerk of Josephine county, and to repeal section 2371 of Hill's annotated laws of Oregon in relation thereto, and all acts and parts of acts in conflict herewith.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

House bill No. 267 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 364,—a bill for the relief of Wallowa county.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 364 was read first time and passed to second reading without question.

Mr. McAlister moved that the rules be suspended and that house bill No. 364 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Butler, Cameron, Cogswell, Cross, Gates, Hirsch, Huston, Looney, Matlock, McAlister, McGinn, Smith, Steiwer, Willis, and Mr. President—17.

Nays—Messrs. Alley, Bancroft, Denny, Hayes, Veatch, and Weatherford—6.

Absent—Messrs. Crosno, Dodson, Maxwell, Myers, Raley, and Woodard—6.

Not voting—Mr. Vanderburg—1.

So the senate refused to suspend the rules.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 36, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

#### AMENDMENT.

Strike out all of section 5 of said bill.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

House bill No. 36 passed to third reading.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 94, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, further consideration of house bill No. 94 was indefinitely postponed.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 108, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 108 passed to third reading.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 2, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 2 passed to third reading.



Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 306, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 306 passed to third reading.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 172, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

Amend section 5 by striking out after the words "one hundred words," in line 5 of original bill, and inserting in place thereof: "and shall make two copies thereof, if required, without additional charge."

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

Mr. Denny moved that the rules be suspended and that house bill No. 172 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Butler, Cameron, Cogswell, Denny, Gates, Hirsch, Looney, Maxwell, McGinn, Steiwer, Vanderburg, Veatch, and Mr. President—15.

Nays—Messrs. Beckley, Cross, Huston, Matlock, McAlister, Smith, Weatherford, Willis, and Woodard—9.

Absent—Messrs. Blackman, Crosno, Dodson, Hayes, Myers, and Raley—8.

So the senate refused to suspend the rules.

House bill No. 172 passed to third reading.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 236, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 236 passed to third reading.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 222, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

Senate bill No. 222 was ordered engrossed and to third reading tomorrow.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill

No. 241, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 241 passed to third reading.

House bill No. 113 coming on for third reading, was read third time.

Mr. Huston moved to refer house bill No. 113 to the committee on agriculture, with instructions to amend the bill by adding after the last word the words "and he shall be fined not less than \$10 nor more than \$50."

The motion lost.

On motion of Mr. Woodard, house bill No. 113 was laid on the table.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President :*

Your committee on judiciary, to whom was referred house bill No. 75, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

#### AMENDMENT.

That all of said bill after the enacting clause be stricken out and in lieu thereof the following inserted:—

Section 1. That section 2118 of chapter IX. of Hill's annotated laws of Oregon be amended so as to read as follows:

Sec. 2118. The appeal is taken to the circuit court of the county wherein the judgment is given, and may be taken within sixty days from the date of the entry thereof. The party appealing is known as the appellant and the adverse party as the respondent, but the title of the action is not thereby changed.

Section 2. That section 2119 of chapter IX. of Hill's annotated laws of Oregon be amended so as to read as follows:

Sec. 2119. An appeal is taken by serving a notice thereof on the adverse party, or his attorney, or any other person appearing for him, of record in said cause, and filing the original with the

proof of service indorsed thereon with the justice, and by giving the undertaking for the costs of the appeal as hereinafter provided.

Section 3. That section 537 of title IV. of chapter VI. of Hill's annotated laws of Oregon be amended so as to read as follows:

Sec. 537. An appeal shall be taken and perfected in the manner prescribed in this section and not otherwise:—

1. The appellant shall cause a notice to be served on the adverse party, and file the original with proof of service indorsed thereon with the clerk where the judgment or decree is entered. Such notice shall state that the appellant appeals from the judgment or decree of the circuit court, or some specified part thereof, and in case the judgment be one rendered in an action at law, shall specify the grounds of error with reasonable certainty upon which the appellant intends to rely upon the appeal, but in case the appeal be from a decree, it shall not be necessary to specify any such grounds of error.

2. Within ten days from the service of notice of the appeal, the appellant shall file with the clerk an undertaking as hereinafter provided. Within five days thereafter the adverse party shall except to the sufficiency of the sureties in the undertaking, or he shall be deemed to have waived his right thereto.

3. The qualifications of sureties in an undertaking of an appeal shall be the same as in bail on arrest, and if excepted to they shall justify in like manner.

4. From the expiration of the time allowed to except to the sureties in the undertaking, or from the justification thereof, if excepted to, the appeal shall be deemed perfected. When a party in good faith gives due notice of an appeal from a judgment or decree, and thereafter omits, through mistake, to do any other act, including the filing of an undertaking or other act as provided in this section necessary to perfect the appeal or to stay proceedings, the court, or judge thereof, or the appellate court may permit an amendment or performance of such act on such terms as may be just.

5. An appeal to the supreme court shall be taken by serving and filing the notice of appeal within six months from the entry of the judgment or decree appealed from, or to the circuit court within sixty days after such entry, and not otherwise.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

House bill No. 75 was ordered to third reading tomorrow.

House bill No. 129 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, and Mr. President—25.

Nays—Messrs. Beckley and Veatch—2.

Absent—Messrs. Matlock, McGinn, and Woodard—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Willis, the vote by which the senate refused to take house bill No. 11 from the table was reconsidered.

The motion recurring on the motion to take from the table, Messrs. Willis and Vanderburg called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Cross, Denny, Gates, Hayes, Looney, Maxwell, McAlister, McGinn, Myers, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Mr. President—17.

Nays—Messrs. Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Dodson, Hirsch, Huston, Matlock, Raley, Smith, and Woodard—13.

So house bill No. 11 was taken from the table.

Mr. McGinn moved that the rules be suspended and that house bill No. 11 be made a special order for 2 o'clock P. M. today.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, and Mr. President—24.

Nays—Messrs. Beckley, Butler, Cameron, Matlock, Myers, and Woodard—6.

So the rules were suspended and house bill No. 11 was made the special order for 2 o'clock P. M.

House bill No. 285 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock,

McAlister, Myers, Smith, Steiwer, Weatherford, Willis, Woodard, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Maxwell, McGinn, Raley, and Veatch—5.

Not voting—Messrs. Cogswell and Vanderburg—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Crosno, chairman of the committee on education, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on education, to whom was referred house bill No. 157, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. B. CROSNO,  
Chairman.

House bill No. 157 was ordered to third reading tomorrow.

Mr. Crosno, chairman of the committee on education, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on education, to whom was referred house bill No. 296, beg leave to report that we have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

#### AMENDMENT.

At end of section 6 add the following: "and upon the filing of such affidavit the secretary of state shall draw his warrant upon the state treasurer in favor of the chairman of the board of directors of Lakeview school for the sum hereby appropriated."

C. B. CROSNO,  
Chairman.

On motion of Mr. Crosno, the report was adopted.

On motion of Mr. Crosno, house bill No. 296 was ordered to third reading tomorrow.

Mr. Vanderburg, chairman of the committee on agriculture, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on agriculture, to whom was referred house bill No. 58, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

W. S. VANDERBURG,  
Chairman.

On motion of Mr. Steiwer, house bill No. 58 was laid on the table.

Mr. Vanderburg, chairman of the committee on agriculture, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on agriculture, to whom was referred house bill No. 57, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

W. S. VANDERBURG,  
Chairman.

On motion of Mr. Steiwer, house bill No. 57 was laid on the table.

Mr. Vanderburg, chairman of the committee on agriculture, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on agriculture, to whom was referred house bill No. 188, beg leave to report that we have had the same under

consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

AMENDMENT.

In section 3, line 40 of printed bill, after the words "rate of," strike out "five (\$5.00) dollars" and insert "three (\$3.00) dollars."

AMENDMENT.

In section 4, line 103 of written bill, after the word "by," strike out "the" and insert "a."

AMENDMENT.

Strike out section 5 and change section 6 to section 5.

W. S. VANDERBURG,  
Chairman.

On motion of Mr. Vanderburg, the report was adopted.

House bill No. 188 was ordered to a third reading to-morrow.

House bill No. 120 coming on for third reading, was read third time.

On motion of Mr. Alley, house bill No. 120 was laid on the table.

Mr. Alley moved a call of the house.

The roll was called, and those present were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—22.

Absent—Messrs. Blackman, Cogswell, Crosno, Denny, Maxwell, McGinn, Raley, and Veatch—8.

On motion of Mr. Cogswell, further proceedings under the call of the house were dispensed with.

House bill No. 16 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hirsch, Matlock, Maxwell, McAlister, McGinn, Raley, Smith, Vanderburg, Weatherford, and Woodard—19.

Nays—Messrs. Butler, Hayes, Looney, Steiwer, Veatch, Willis, and Mr. President—7.

Absent—Messrs. Blackman, Gates, Huston, and Myers—4.

So the bill passed.



There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 368 coming on for third reading, was read third time.

On motion of Mr. Cross, house bill No. 368 was referred to a special committee of three, with instructions to report not later than 1 o'clock P. M. tomorrow.

House bill No. 30 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Butler, Cameron, Crosno, Denny, Dodson, Gates, Hayes, Huston, Looney, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, and Mr. President—19.

Nays—Messrs. Beckley, Cogswell, Cross, Weatherford, and Willis—5.

Absent—Messrs. Alley, Hirsch, Matlock, and Veatch—4.

Not voting—Messrs. Blackman and Woodard—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 204,—a bill for an act to create the county of Blaine, and to fix the salaries of county judge and treasurer.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 204 was read first time and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

concurred in the senate's amendments to house bill No. 129.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 96.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 96 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate's amendments to the house amendments to senate bill No. 38.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 38 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted the report of the committee of conference on senate concurrent resolution No. 20.

And the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. Willis, the senate concurred in the adoption of the amendments.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 106.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
 Chief clerk.

The president announced that he was about to sign house bill No. 106, and soon thereafter that he had signed the same.

Mr. Alley moved that the rules be suspended and that house bill No. 204 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Looney, Matlock, Maxwell, Myers, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—22.

Nays—Messrs. Beckley, Crosno, Huston, McAlister, and Smith—5.

Absent—Messrs. Hirsch, McGinn, and Raley—3.

So the rules were suspended and house bill No. 204 was read second time by title only.

On motion of Mr. Alley, the bill was referred to the committee on fishing industries.

Mr. Dodson, from the committee on engrossed bills, submitted the following report:—

## REPORT.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 February 14, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 221, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
 Chairman.

House bill No. 116 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Willis, Woodard, and Mr. President—24.

Nays—Messrs. Vanderburg and Veatch—2.

Absent—Messrs. Hirsch, Huston, McGinn, and Weatherford—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 44 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—Mr. Veatch—1.

Absent—Messrs. Cameron, Crosno, Hirsch, Weatherford, and Willis—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 117 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Cross, Dodson, Gates, Hayes, Matlock, Maxwell, McAlister, Raley, Smith, Steiwer, Willis, Woodard, and Mr. President—19.

Nays—Messrs. Beckley, Huston, Vanderburg, and Veatch—4.

Absent—Messrs. Crosno, Denny, Hirsch, Looney, McGinn, Myers, and Weatherford—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Raley, the senate adjourned.

O. P. MILLER,  
Chief clerk.

## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

The senate was called to order at 2 o'clock P. M. by the president.

The roll was called and all senators were present except Senators Denny, Hirsch, and Looney.

Mr. Woodard moved a call of the senate.

The roll was called and the absentees were Senators Denny, Hirsch, and Looney.

Mr. Veatch moved that further proceedings under the call of the house be dispensed with.

Lost.

Mr. Cross moved that the doorkeeper be assistant sergeant-at-arms and the mailing clerk act as doorkeeper.

Carried.

Mr. Bancroft moved that further proceedings under the call of the house be dispensed with.

Lost.

The sergeant-at-arms appeared with Senators Looney and Denny.

Mr. McGinn moved that further proceedings under the call of the house be dispensed with.

Lost.

The sergeant-at-arms appeared with Mr. Hirsch.

On motion of Mr. Veatch, further proceedings under the call of the house were dispensed with.

The hour having arrived for the consideration of house bill No. 11, the question being, "Shall the bill pass?" notwithstanding the objections and the veto of the governor thereto, the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Cogswell, Cross, Denny, Gates, Looney, McAlister, McGinn, Smith, Steiwer, Vanderburg, Weatherford, Willis, and Mr. President — 14.

Nays — Messrs. Alley, Beckley, Blackman, Butler, Cameron, Crosno, Dodson, Hayes, Hirsch, Huston, Matlock, Maxwell, Myers, Raley, Veatch, and Woodard — 16.

So the bill failed to pass.

Mr. McGinn, chairman of the committee on engrossed bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 222, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 10,—proposing an amendment to the constitution of the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## HOUSE JOINT RESOLUTION NO. 10.

*Resolved by the House, the Senate concurring,* That the following amendment to the constitution of the state of Oregon be and hereby is proposed:—

That the constitution be amended by adding article XIX. as follows to wit:

## ARTICLE XIX.

Section 1. The necessary use of lands for the construction of reservoirs or storage basins for the purpose of irrigation, or for rights of way for the construction of canals, ditches, flumes, or pipes to convey water to the place of use for any useful, beneficial, or necessary purpose, or for drainage, or for drainage of mines, or the working thereof by means of roads, railroads, tramways, cuts, tunnels, shafts, hoisting works, dump, or other necessary means to their complete development, or any other use necessary to the complete development of the material resources of the state, or preservation of the health of its inhabitants, is hereby declared to be a public use and subject to the regulation and control of the state.

Section 2. The right to appropriate the unappropriated waters of any natural stream to beneficial uses shall never be denied.

Section 3. The use of all waters now appropriated for sale, rental, or distribution, also of all waters originally appropriated for private use, but which after such appropriation has heretofore been or may hereafter be sold, rented or distributed, is hereby declared to be a public use and subject to the regulation and control of the state in the manner prescribed by law. But the right to use and appropriate such waters shall be subject to such provisions of law for the taking of private property for public or private use as provided in section 18, article I., of the constitution of the state of Oregon.

Section 4. The right to collect taxes or compensation for the use of water supplied to any county, city, town, or water district, or inhabitants thereof, is a franchise and cannot be exercised except by authority of and in a manner prescribed by law.

On motion of Mr. Weatherford, the resolution was referred to the committee on judiciary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 284.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 4, 41, 56, 102, 218, and house joint resolution No. 8.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 8, 127, 166, and 357.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bills No. 284, 8, 4, 127, 41, 166, 56, 102, 218, 357, and house joint resolution No. 8, and soon thereafter that he had so signed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 378,—a bill for an act providing for the payment of armory rental by the counties, and authorizing county courts to build armories.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 378 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 254,—a bill entitled an act to make appropriation to pay per diem and mileage of the members of this legislature and other expenses of this session.



And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 254 was read first time.

Mr. Cogswell moved that the rules be suspended and that house bill No. 254 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Raley, Smith, Steiwer, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—Mr. Vanderburg—1.

Absent—Messrs. Alley, Denny, McGinn, and Myers—4.

So the rules were suspended and house bill No. 254 was read second time by title only.

Mr. Cogswell moved that the rules be further suspended and that house bill No. 254 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—Mr. Veatch—1.

Absent—Messrs. Alley, Blackman, Denny, and McGinn—4.

So the rules were suspended, and house bill No. 254 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—27.

Nays—Messrs. Veatch and Weatherford—2.

Absent—Mr. McGinn—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Alley, chairman of the committee on fishing industries, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on fishing industries, to whom was referred senate bill No. 224, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

B. F. ALLEY,  
Chairman.

Senate bill No. 224 was ordered engrossed and to third reading tomorrow.

By unanimous consent, Mr. Hirsch introduced senate joint resolution No. 12.

## SENATE JOINT RESOLUTION NO. 12.

*Be it resolved by the Legislative Assembly of the State of Oregon, That joint rule No. 11 of this legislative assembly, so far as the same might apply to the bill known as the general appropriation bill, be and the same is hereby suspended and shall not apply to said bill.*

Mr. Hirsch moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Denny, Dodson, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, and Mr. President—22.

Nays—Mr. Willis—1.

Absent—Messrs. Alley, Cogswell, Gates, Hayes, McGinn, and Veatch—6.

Not voting—Mr. Woodard—1.

So the resolution was adopted.

Mr. Myers moved that the rules be suspended and that the senate do now return to the order of third reading of senate bills.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Dodson, Gates, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Alley, Cogswell, Denny, Hayes, Maxwell, McGinn, and Veatch—7.

So the rules were suspended and the senate returned to third reading of senate bills.

Mr. Gates, chairman of the special committee, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your special committee, to whom was referred house bill No. 331, beg leave to report that we have had the same under consideration, and respectfully report it back with the recommendation that it do pass with the following amendments:—

AMENDMENT.

Amend section 1 so as to read as follows:

Section 1. The board of trustees of the Oregon state insane asylum is hereby authorized, upon the nomination of the superintendent of said asylum, to appoint two consulting physicians, who shall be regular graduates in medicine and shall have practiced medicine at least fifteen years from date of diploma, and who shall hold their offices for four years, or during good behavior. The said consulting physicians shall be subject to removal by the board of trustees at any time for cause; and in the discharge of their duties shall be subject to the laws now in existence or which may hereafter be enacted for the government and control of said asylum, and also to the bylaws of said trustees. They shall not be required to reside at the asylum. They shall give special attention to difficult and obscure cases of mental diseases, and shall advise and assist in important surgical operations. They shall visit the asylum at least once a week and whenever, at other times, they shall deem it necessary, and also whenever they shall be requested so to do by the medical superintendent. They shall at all times have access to all parts of the asylum, or any other place appertaining to the asylum, and shall personally examine the patients and advise the manner of their treatment. They shall recommend to the superintendent sanitary measures for the welfare of the patients, and shall make such recommendations to the board of trustees as in their judgment shall be for the best interests of the patients and the institution. They shall each receive an annual salary of twelve hundred dollars. The said board of trustees is hereby authorized, upon the nomination of the superintendent of said asylum, to appoint additional

Absent—Messrs. Matlock, Maxwell, McGinn, and Veatch—4.

So the rules were suspended and senate bill No. 217 was considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cross, Dodson, Gates, Hayes, Hirsch, Looney, McAlister, Myers, Raley, Smith, Steiwer, Willis, Woodard, and Mr. President—19.

Nays—Messrs. Butler, Crosno, Huston, and Weatherford—4.

Absent—Messrs. Cogswell, Denny, Matlock, Maxwell, McGinn, Vanderburg, and Veatch—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Smith moved a call of the senate.

The roll was called, and those present were:—

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—25.

Absent—Messrs. Hayes, Matlock, Maxwell, Veatch, and Weatherford—5.

On motion of Mr. Myers, further proceedings under the call of the senate were dispensed with.

Senate bill No. 221 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Butler, Cogswell, Dodson, Matlock, McAlister, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford—13.

Nays—Messrs. Alley, Bancroft, Cameron, Crosno, Cross, Denny, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McGinn, Steiwer, Willis, Woodard, and Mr. President—17.

So the bill failed to pass.

Mr. McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate

bill No. 224, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Mr. Smith moved that the rules be suspended and that the committee on judiciary report back senate bill No. 213 and that it be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Butler, Crosno, Cross, Gates, Hirsch, Looney, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, and Woodard—17.

Nays—Messrs. Alley, Bancroft, Cameron, Cogswell, Denny, Dodson, Hayes, Huston, Matlock, Maxwell, McGinn, and Mr. President—12.

Absent—Mr. Veatch—1.

So the senate refused to suspend the rules.

Mr. Smith moved that when the senate adjourn, it be to meet at 7:30 P. M. this evening.

The motion prevailed.

On motion of Mr. Blackman, the senate adjourned.

O. P. MILLER,  
Chief clerk.

## EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 15, 1893. }

The senate was called to order at 7:30 o'clock P. M. by the president.

The roll was called, and Senators Cogswell, Hayes, Looney, Matlock, McGinn, Steiwer, and Willis were absent.

On motion of Mr. Blackman, the courtesies of the senate were extended to Hon. Sol. Hirsch, and he was invited to a seat within the bar of the senate.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house bill No. 17,—a bill for an act to appropriate money for the improvement of a public soda spring in Sodaville, Linn county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 17 was read first time.

Mr. Myers moved that the rules be suspended and that house bill No. 17 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Crosno, Dodson, Gates, Hirsch, Matlock, Maxwell, McAlister, Myers, Smith, Weatherford, Woodard, and Mr. President—17.

Nays—Messrs. Huston, Vanderburg, and Veatch—3.

Absent—Messrs. Butler, Cogswell, Cross, Denny, Hayes, Looney, McGinn, Raley, Steiwer, and Willis—10.

So the senate refused to suspend the rules.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 226,—a bill for an act to authorize and empower the state of Oregon, through its proper officers and agents, any county, school district, or municipal corporation to institute proceedings to condemn for public use any lands, the water of any spring, stream, or river, or any water right, power, or privilege, or any easement over any lands for pipe lines, canals, or other purposes, whenever deemed necessary; to provide the mode and manner of such proceedings, and the manner in which compensation therefor shall be paid.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 226 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 233, notwithstanding the veto and objections of the governor.

And the same, together with the message, is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
 SALEM, Oregon, }  
 February 9, 1893. }

*To the Honorable the House of Representatives of the State of Oregon:*  
 I herewith return house bill No. 233 with my dissent. This bill provides for the payment out of the state treasury of the sum of twenty thousand dollars a year for two years to the military board in addition to the amount raised for the state militia through the now existing tax of one fifth of a mill upon all of the property of the state. The amount of the assessable property in the state, as returned by the state equalization board, is now \$228,398,677. A tax of one fifth of a mill on this amount would bring annually \$45,679. Add to this amount the \$20,000 given to the militia by this bill, and we have an annual total of \$65,679. As the amount expended by the state militia annually for the last biennial term was \$32,778, it will be seen that it is proposed to double the amount heretofore expended. Our constitution provides that the "military shall be kept in strict subordination to the civil power," but it would seem that now the military is in the saddle, as it has had sufficient potency to procure a largely increased appropriation in the passage of this bill at a time when a retrenchment in all civil departments is sought after on account of the depressed condition of our people, consequent upon the stagnation of business and a general decline in prices, values, and volume of currency. This is most decidedly wrong.

Now, when the greatly overburdened taxpayer is demanding relief, the military as well as the civil branch of government must begin to practice retrenchment. Retrenchment must be made all along the line. I veto the bill.

SYLVESTER PENNOYER,  
 Governor.

Mr. Bancroft moved that the rules be suspended and that consideration of house bill No. 233 and the governor's message be made the special order for tomorrow at 11 o'clock A. M.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hirsch, Matlock, Maxwell, McAlister, Myers, Smith, Willis, Woodard, and Mr. President—19.

Nays—Messrs. Huston, Vanderburg, Veatch, and Weatherford—6.

Absent—Messrs. Beckley, Cross, Hayes, Looney, McGinn, Raley, and Steiwer—7.

So the rules were suspended and house bill No. 233 was made the special order for 11 o'clock A. M. tomorrow.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 230,—a bill for an act to amend section 3877, title I., chapter LXV. of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, relating to the purchase of supplies for the state penitentiary.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 230 was read first time and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 12.

And the same are herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

Mr. Gates, chairman of the committee appointed under senate concurrent resolution No. 8, to investigate the management of the Oregon insane asylum, submitted the following report:—



## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1893. }

*Mr. President:*

Your joint committee, appointed under senate concurrent resolution No. 8, to examine into the condition of the Oregon state insane asylum, report that the duty assigned them has been discharged, and we find:—

1. That the patients are supplied with all things necessary for their comfort; the food furnished the inmates is wholesome and abundant; great care and attention is paid to their personal cleanliness; the wards are kept in a cleanly condition, with as perfect sanitary and hygienic surroundings as possible under all circumstances. In all departments a most thorough fire system is in vogue and active operation, that would prove very effective in saving life and property in case of a conflagration. All attendants are gentlemanly and ladylike in their deportment, and we believe the patients are treated with the greatest kindness and consideration at their hands. The grounds are kept in perfect order; the barns, stables, hoggeries, and other outbuildings are kept clean and show that great care is exercised by those having them in charge. A large infirmary is now under course of construction that will prove highly beneficial in case of contagious diseases among the inmates of the asylum. This infirmary is built at a point high and rolling, so as to render it free from all contaminating influences. Through the asylum the state is the owner of 1,020 acres of good land and a good class of buildings. There are at present 828 inmates in the asylum. The cost of maintaining the institution the past two years was \$209,889.45. The per capita per month for the last two years was \$12.16, being the lowest figure the state has yet been able to attain for keeping her insane.

2. A thorough investigation of the books and accounts of the institution has been made by a competent person, and in every particular they have been found to be correct and self-explanatory. The book-keeper is gentlemanly and obliging, kindly lending his aid and assistance in every way possible in expediting the examination of the accounts. In the opinion of the committee a more thorough, systematic, and correct method of auditing and keeping accounts could not be inaugurated than that in operation at the asylum.

And your committee would further report that they have thoroughly investigated charges made against the management of the

asylum by certain parties, which charges, if true, would have proven condemnatory to the management and left a stain upon the fair name of the state of Oregon. These charges were:—

1. That the general management was not good.
2. That there was gross negligence and carelessness in handling the keys.
3. That the family of Jay Smith, the book-keeper, was kept at the expense of the state.
4. That Rumley, a discharged patient, had been illegally held as an inmate.
5. That Huntley, an employé, through negligence, was allowed improper privileges with a female patient.
6. That numerous female patients were pregnant through improper relations with attendants.
7. That Jay Smith paid J. Hastings money in order to have certain shortcomings of his (Smith's) covered up.
8. That Miss Lydia Roblin had aided in an illicit conspiracy and should be condemned.

On each of the foregoing propositions the committee, at regular stated sessions, has called witnesses, each and all of whom responded except one, (Mrs. Hastings, who said she knew nothing of the case for which she was subpoenaed), and from the sworn evidence of the several witnesses called, we find:—

1. That the present management of the Oregon state insane asylum is equal to any of the former administrations, and superior to many similar institutions in older states.

2. That the system of keeping the keys is the best now known throughout the country (according to numerous answers to letters of inquiry on this point, shown us from superintendents of asylums from all parts of the United States), and that the utmost care and vigilance is exercised to see that the keys are placed only in proper hands.

3. That as the second assistant physician is a single man, Jay Smith occupies his cottage, and that all the provisions for his family are bought of Salem dealers, separate and apart from provisions furnished the asylum.

4. That Mr. Rumley was not discharged from the asylum at the time he claims he was, but was out simply on a written *parole* in order to enable him to secure work on the outside, as is the custom and provided rule at the asylum here as elsewhere.

5. That Huntley did gain admittance to one of the female wards by passing a key through the grates of the guard from the outside; that the guard was unlocked by the said female inmate, and he was let in through the window; that he was discovered under the bed

in a few moments, and before he had carried out his supposed purpose, taken from the room; his keys were taken from him and he was turned out of the building, since which time he has not been seen about the asylum; and that this occurred despite the fact that the utmost diligence and caution were exercised in these particulars, and in nowise reflect on the care and efficiency of the management, and could as readily have happened under any previous administration.

6. That the report that female patients were or are *enceinte* is false and without foundation of fact, there being absolutely no evidence or suspicion pointing in that direction.

7. That Jay Smith never paid Jay Hastings one cent for any purpose.

8. That the report that Miss Lydia Roblin knowingly gave her assistance in aiding an illicit meeting of parties is not true, and that the said report was not only an injustice but an injury to the young lady. That from all the evidence adduced we believe her to be a virtuous, chaste, and moral woman, and that she should be fully exonerated from all the charges made; and we would recommend that Miss Roblin be reinstated into the position which she held at the time the charges were made, and that those who made the charges and caused them to be published be severely censured.

And, in conclusion, your committee would earnestly deprecate the spirit prompting any man, or set of men, in aiding the circulation of rumors calculated to do injury to persons entrusted with highly responsible state duties, and worse still, procure a feeling of unrest and uncertainty among the citizens and taxpayers as to the protection and care afforded the unfortunate insane, without anything approaching reasonable evidence on which to base such rumors; and we take pleasure in giving this assurance, that the management of the Oregon state insane asylum is in perfectly trustworthy hands.

Hereto is appended a financial exhibit of the expenses of the asylum for the two years ending November 30, 1892:—

### ACCOUNT

Of articles consumed in the Oregon State Insane Asylum during the years 1891-92.

Articles.	Amount.
Flour.....	\$ 8,965 48
Meat.....	25,116 87
Sugar.....	4,085 68
Tea.....	1,098 97
Syrup.....	1,592 18
Potatoes.....	805 82
Butter.....	6,284 06
Coffee.....	2,066 78
Lard.....	85 25
Fish.....	3,705 10
Poultry and eggs.....	3,026 58

Beans and peas	\$ 110 07
Rice	1,181 05
Corn meal and middlings	755 80
Fruit	3,617 16
Vegetables	4 90
Salt	282 23
Vinegar	275 54
Small groceries	8,224 06
Soap and potash	716 57
Drugs	1,440 35
Cattle	879 00
Tobacco	1,939 61
Dry goods	2,063 32
Clothing and hats	7,865 96
Shoes and leather	1,813 76
Blankets	147 00
Threshing bill	219 93
Hogs	154 90
Harness	19 00
Furniture and crockery	639 32
Hardware and tinware	1,182 34
Spoons and cutlery	44 53
Saddle horse	75 00
Hay	400 00
Grain and feed	579 47
Garden tools and seed	478 02
Lumber	168 06
Building material and repairs	3,053 72
Brooms and brushes	662 24
Books and stationery	302 28
Oil and gas	233 45
Paints and glass and turpentine	34 25
Fuel	10,515 29
Bedding	240 46
Castings, pipes, and irons	20 00
Cracked wheat	214 45
Oat meal	391 26
Expense	8,926 73
Amusements	923 18
Improvements	5,206 09
Miscellaneous —	
Hog	10 00
Library	18 60
Blacksmithing	126 73
Sand	8 75
Veterinary surgeon	3 00
R. M. Wade & Co. — contract	77 00
J. C. Brown & Co. — contract	137 96
John Hughes — contract	137 45
Cattle	30 00
Total	\$ 118,797 11

## STATEMENT

Showing the cost of the different departments for the years 1891-92.

Department.	Cost.
Kitchen and dining rooms	\$ 55,868 96
Male department	7,908 17
Female department	3,189 38
Bakery	9,207 06
Laundry	367 33
Engine room	5,744 95
Farm, garden, and dairy	3,057 44
Stable	83 51
Repairs	3,053 78
Carpenter shop	164 87
Drug store	1,439 75
Sewing room	7,541 29
Shoe shop	101 92
Center building	1,357 79
Office	144 39
West Cottage	
East Cottage	
Tailor shop	229 94

Stanley farm.....	\$ 4,132 02
Expense.....	8,926 73
Improvements.....	5,206 09
Pest house.....	6 19
Amusements.....	923 18
Blacksmithing.....	126 73
Library.....	18 60
Total.....	\$ 118,797 11
Amount of pay-roll.....	91,092 34
Total.....	\$ 209,889 45

P. P. GATES,  
J. H. RALEY,  
Committee on part of senate.  
W. R. BISHOP,  
S. B. ORMSBY,  
J. J. HOUCK,  
Committee on part of house.

Mr. Myers, chairman of the special committee, to whom was referred senate bill No. 75, submitted the following report:—

### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1893. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 75, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with our disapproval.

We are of the opinion that the bill is unfair to women, in that it would place them at a disadvantage in the matter of gaining a livelihood. Other merely than chivalrous reasons argue against such a law as is proposed in this bill.

The clerical service required by many of the legislative committees is such that women may perform it as efficiently as men. To discriminate against them is in the highest degree unmanly and contrary to the spirit of the age and the genius of our institutions. When for any reason men may give better service, the discretion of the employing power should be exercised in the interest of the state in obtaining such better service.

Abuses in the matter of legislative clerkships reach to both men and women employed in clerical positions. If there be any special objection to women, the members of the legislature are themselves responsible for it. To prohibit the employment of women will by no means remedy whatever evil may exist. As long as clerical

positions shall be given by the legislators as sinecures, for reasons other than pertaining to efficiency of service, so long will there be objectionable features attending the clerkship business. It may truthfully be asserted that the women are in nowise less faithful than the men in the performance of clerical duties, nor do they come less well qualified for the services required. The incompetent clerks include fully as many men as women. We do not think it would in any degree reform the service to rule out of it honest, faithful, and competent women. All other kinds, both women and men, should be kept out as a matter of principle and common sense. If members of the legislature do not exercise common sense in this matter, we see no reason for wreaking vengeance upon honest and capable women who toil for their bread. It would be selfish, unbecoming, undignified, unmanly, unjust, thus to bar good women from this field of honorable endeavor because legislators sometimes employ clerks who do not reflect credit upon the service.

In the opinion of your committee there would be less objection to the provisions of the bill prohibiting the employment of near relatives of legislators to committee clerkships. Still, every regulation of this kind is a reflection on the good sense of all the members, and therefore we disapprove it. The efficiency and good repute of the clerical services of the legislature depends upon the members of the legislature themselves and will not be reached by the adoption of laws prescribing the age, sex, or condition of those who may engage in service.

Therefore, we recommend that senate bill No. 75 do not pass.

JEFF MYERS,  
Chairman.

On motion of Mr. Willis, senate bill No. 75 was ordered engrossed and to third reading tomorrow.

On motion of Mr. McGinn, the courtesies of the senate were extended to Hon. Henry Failing, and he was invited to a seat within the bar of the senate.

Mr. Alley, chairman of the committee on fishing industries, submitted the following reports:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on fishing industries, to whom was referred house bill No. 22, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate without recommendation.

B. F. ALLEY,  
Chairman.

House bill No. 22 was ordered to third reading.

Mr. Alley, chairman of the committee on fishing industries, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on fishing industries, to whom was referred house bill No. 80, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

B. F. ALLEY,  
Chairman.

House bill No. 80 was ordered to third reading.

Mr. Alley, chairman of the committee on fishing industries, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on fishing industries, to whom was referred house bill No. 21, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

B. F. ALLEY,  
Chairman.

House bill No. 21 was ordered to third reading.

Mr. Alley, chairman of the committee on fishing industries, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on fishing industries, to whom was referred



house bill No. 180, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. F. ALLEY,  
Chairman.

House bill No. 180 was ordered to third reading.

Mr. Alley, chairman of the committee on fishing industries, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1893. }

*Mr. President:*

Your committee on fishing industries, to whom was referred house bill No. 110, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

B. F. ALLEY,  
Chairman.

House bill No. 110 was ordered to third reading.

Senate bill No. 77 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Butler, Cameron, Cogswell, Crosno, Dodson, Hirsch, Huston, Maxwell, McAlister, McGinn, Smith, Vanderbilt, Weatherford, Willis, and Mr. President—17.

Nays—Messrs. Myers, Veatch, and Woodard—3.

Absent—Messrs. Beckley, Blackman, Cross, Denny, Gates, Hayes, Looney, Matlock, Raley, and Steiwer—10.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 222 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cogswell, Crosno, Cross, Dodson, Hayes, Hirsch, Huston, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Weatherford, Willis, and Mr. President—21.



Nays—Messrs. Vanderburg and Veatch—2.

Absent—Messrs. Beckley, Cameron, Denny, Gates, Looney, Steiwer, and Woodard—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 107 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Crosno, Cross, Dodson, Hayes, Hirsch, Huston, Matlock, Maxwell, McAlister, McGinn, Myers, Smith, and Mr. President—17.

Nays—Messrs. Beckley, Butler, Denny, Veatch, Weatherford, and Willis—6.

Absent—Messrs. Cogswell, Gates, Looney, Raley, Steiwer, Vanderburg, and Woodard—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Messrs. Woodard and Raley were excused for the evening.

Senate bill No. 244 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Cogswell, Crosno, Hirsch, Huston, Matlock, McAlister, McGinn, Myers, Smith, Vanderburg, Veatch, Weatherford, and Mr. President—15.

Nays—Messrs. Alley, Bancroft, Butler, Cameron, Cross, Denny, Dodson, Hayes, Maxwell, and Willis—10.

Absent—Messrs. Gates, Looney, Raley, Steiwer, and Woodard—5.

So the bill failed to pass.

Mr. Willis, chairman of the committee on assessments, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on assessments, to whom was referred senate bill No. 92, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate without recommendation.

P. L. WILLIS,  
Chairman.

On motion of Mr. Vanderburg, senate bill No. 92 was ordered engrossed and to third reading.

Mr. Willis, chairman of the committee on assessments, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on assessments, to whom was referred senate bill No. 137, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

P. L. WILLIS,  
Chairman.

Senate bill No. 137 was ordered engrossed and to third reading.

Mr. Willis, chairman of the committee on assessments, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on assessments, to whom was referred senate bill No. 225, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

P. L. WILLIS,  
Chairman.

On motion of Mr. Vanderburg, senate bill No. 225 was ordered engrossed and to third reading.

Mr. Willis, chairman of the committee on assessments, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on assessments, to whom was referred senate bill

No. 185, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

AMENDMENT.

Strike out all of subdivision 2 of section 1 of the printed bill.

AMENDMENT.

Make subdivisions 3, 4, 5, and 6 of said section subdivisions 2, 3, 4, and 5 respectively.

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, the report was adopted.

On motion of Mr. Willis, senate bill No. 185 was ordered engrossed and to third reading tomorrow.

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on assessments, to whom was referred senate bill No. 200, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

AMENDMENT.

In line 3 of section 1 of the printed bill, strike out the words "when board shall assemble."

AMENDMENT.

In line 5 of section 1 of the printed bill, commencing at and including the word "but," strike out all the following up to and including the word "equalization," in line 6 of said section.

AMENDMENT.

In lines 3 and 4 of section 2 of the printed bill, strike out the words "secretary of state shall provide lights, fuel, etc.; salary of board and employes."

AMENDMENT.

In line 6 of section 2 of the printed bill, where the word "ten"

occurs for the first time, strike out the word "ten" and insert in lieu thereof the word "six."

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, the report was adopted.

On motion of Mr. Willis, senate bill No. 200 was ordered engrossed and to third reading tomorrow.

Mr. Willis, chairman of the committee on assessments, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on assessments, to whom was referred senate bill No. 194, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

P. L. WILLIS,  
Chairman.

Senate bill No. 194 was ordered engrossed and to third reading.

Mr. Hirsch asked leave of absence.

The leave was granted.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 12, 33, 38, 85, 96, and 158, and senate joint resolution No. 12, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

Mr. Blackman moved that the senate do now adjourn.

Messrs. Veatch and Myers called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cogswell, Croso, Dodson, Matlock, McGinn, Myers, and Mr. President—11.

Nays—Messrs. Alley, Cameron, Cross, Denny, Hayes, Huston, Maxwell, McAlister, Smith, Vanderburg, Veatch, Weatherford, and Willis—13.

Absent—Messrs. Gates, Hirsch, Looney, Raley, Steiwer, and Woodard—6.

So the senate refused to adjourn.

Senate bill No. 75 coming on for third reading, was read third time.

Mr. Alley moved that further consideration be indefinitely postponed.

Lost.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Butler, Crosno, Cross, Dodson, McAlister, and Willis—7.

Nays—Messrs. Alley, Beckley, Blackman, Cameron, Cogswell, Denny, Hayes, Huston, Matlock, Maxwell, McGinn, Myers, Smith, Vanderburg, Veatch, Weatherford, and Mr. President—17.

Absent—Messrs. Gates, Hirsch, Looney, Raley, Steiwer, and Woodard—6.

So the bill failed to pass.

Mr. McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 185 and 200, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

By unanimous consent, Mr. Cross introduced senate joint resolution No. 13.

#### SENATE JOINT RESOLUTION NO. 13.

*Be it resolved by the Senate, the House concurring, That the following amendment to the constitution of the state of Oregon, in lieu of section 10 of article VII. (7), be and the same is hereby proposed, to wit:—*

Section 10. The legislative assembly may provide for the election of supreme and circuit court judges in distinct classes, one of which classes shall consist of five justices of the supreme court, who shall not perform circuit duty; and the other class shall consist of as many circuit judges as may be deemed necessary, who shall hold full terms without allotment, and who shall take the same oath as the supreme judges. The legislative assembly may create as many circuits as may be necessary.

Mr. Cross moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Huston, Maxwell, McGinn, Smith, Weatherford, Willis, and Mr. President—17.

Nays—Messrs. Beckley, Matlock, McAlister, Myers, Vanderburg, and Veatch—6.

Absent—Messrs. Blackman, Gates, Hirsch, Looney, Raley, Steiwer, and Woodard—7.

So senate joint resolution No. 13 was adopted.

By unanimous consent, Mr. Bancroft introduced senate resolution No. 28.

#### SENATE RESOLUTION NO. 28.

*Resolved*, that the secretary of state be and he is hereby authorized to purchase a new carpet for the senate chamber.

Mr. Bancroft moved the adoption of the resolution.

The motion was lost.

On motion of Mr. Weatherford, senate bill No. 210 was taken from the table.

Senate bill No. 210 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Huston, Matlock, Maxwell, McAlister, McGinn, Myers, Smith, Vanderburg, Weatherford, Willis, and Mr. President—22.

Nays—Mr. Veatch—1.

Absent—Messrs. Butler, Gates, Hirsch, Looney, Raley, Steiwer, and Woodard—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 200 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Huston, Matlock, Maxwell, McAlister, Smith, Vanderburg, Veatch, Willis, and Mr. President—21.

Nays—Messrs. Myers and Weatherford—2.

Absent—Messrs. Gates, Hirsch, Looney, McGinn, Raley, Steiwer, and Woodard—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 185 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were;

Messrs. Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Huston, Maxwell, McAlister, McGinn, Smith, Vanderburg, Willis, and Mr. President—18.

Nays—Messrs. Beckley, Myers, Veatch, and Weatherford—4.

Absent—Messrs. Alley, Gates, Hirsch, Looney, Matlock; Raley, Steiwer, and Woodard—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Blackman, the senate adjourned.

O. P. MILLER,  
Chief clerk.

THURSDAY, FEBRUARY 16, 1893.

MORNING SESSION.

SENATE CHAMBER,

SALEM, Oregon,

February 16, 1893. }

The senate was called to order at 10 o'clock A. M. by the president.

The roll was called, and all the senators were present except Messrs. Crosno, Dodson, Hayes, and Hirsch.

On motion of Mr. Alley, the reading of the journal was dispensed with.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 30, 117, and 129.

And the same is herewith transmitted to you for your signature.  
 D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February —, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 158, 12, 33, 85, 38, 96, and senate joint resolution No. 12.

And the same is herewith returned to you for your signature.  
 D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 16, 44, 116, and 285.

And the same is herewith transmitted to you for your signature.  
 D. C. SHERMAN,  
 Chief clerk.

The president announced that he was about to sign house bills Nos. 30, 117, 129, 16, 44, 116, and 285, and senate bills Nos. 158, 12, 33, 85, 38, 96, and senate joint resolution No. 12, and soon thereafter that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has



passed house bill No. 276,—a bill for an act to regulate the collection of notes or other obligations for money drawing a rate of interest exceeding ten per cent per annum, and to repeal all usury laws heretofore in force in this state.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 276 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 305,—a bill for an act to cure defects in deeds heretofore made to real property in the state of Oregon that are defective in execution or acknowledgement, and to cure defects in judicial sales of real property and sales of lands by executors, administrators, or guardians.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 305 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 330,—a bill to amend section 1145 of title VI. of chapter XV. of the general laws of Oregon, as compiled and annotated by William Lair Hill, relating to the sale of property by executors or administrators.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 330 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 355,—a bill for an act regulating the payment of the salaries to the judges of the circuit courts of the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 355 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 291,—a bill for an act to amend an act entitled an act to encourage tree planting in public schools.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 291 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 303,—a bill for an act entitled "An act to provide a school at the state penitentiary of Oregon for the convicts therein."

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 303 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 351,—a bill for an act to amend section 21 of the school laws of the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 351 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 219,—a bill for an act to provide for compiling, editing, illustrating, stereotyping, printing, binding, copyrighting, and distributing an elementary textbook upon the subject of agriculture and horticulture, for the use of the public schools in the state of Oregon, and appropriating money therefor.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 219 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 264,—a bill for an act to promote good behavior and the reformation of convicts in the penitentiary of this state, and to amend section 3890 on page 1654 of the laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 264 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 124,—a bill for an act to provide for the recording of sales of real property sold for the recovery of delinquent taxes, and to further define the duties of officers in relation thereto.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 124 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 381,—a bill for an act to authorize the bridge committee and bridge commission created and provided for in the

act filed in the office of the secretary of state, February 18, 1891, entitled an act to authorize the cities of Portland and Albina to construct, purchase, or acquire by condemnation or other means, one or more bridges across the Willamette river between the city of Portland and the city of East Portland, in Multnomah county, Oregon, which bridge or bridges shall be free to all pedestrians and all classes of vehicles and traffic, except railways and street railways, and to acquire, establish, and operate a free ferry.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 381 was read first time.

Mr. Woodard moved that the rules be suspended and that senate bill No. 381 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Crosno, Cross, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—24.

Absent—Messrs. Beckley, Cogswell, Denny, Hayes, McGinn, and Weatherford—6.

So the rules were suspended and house bill No. 381 was read second time by title only.

On motion of Mr. Willis, the bill was referred to a select committee consisting of the senators from Multnomah county.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 273,—a bill for an act to amend section 1 of an act entitled "An act to regulate the manner of taking acknowledgments of married women and for other purposes," filed in the office of the secretary of state, February 1, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 273 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 301,—a bill for an act to amend sections 5 and 8 of an act approved February 11, 1885, entitled "An act for securing liens for mechanics, laborers, material men, and others, and prescribe the manner of their enforcement," the same being sections 3673 and 3676 of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 301 was read first time and passed to second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 29, that a committee on the part of both houses be appointed to act with like committee from state of Washington and the fish commissioners of the two states, to investigate the fishing interests of the two states, and to report to the governors of the respective states, and said reports to be laid before the next session of the legislatures.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 29.

*Resolved by the House, the Senate concurring,* That in accordance with the recommendation of the joint committee on concurrent fishing interests, appointed by the legislatures of the states of Washington and Oregon, a committee of five be appointed, two from the senate and three from the house, to act with a similar committee from the state of Washington, together with the fish

commissioners from the two states; and it shall be the duty of said joint committee to investigate the fishing interests of the two states and report their conclusions to the respective governors of the two states on or before December 1, 1894, said reports to be laid before the next session of the legislatures.

On motion of Mr. Weatherford, the resolution was referred to the committee on judiciary.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 50, with the amendments hereto annexed.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

### AMENDMENT.

In section 1, after line 6, printed bill, insert "one deputy, \$1,000"; also in line 8, strike out "\$1,200," and insert "\$1,800"; also in line 12, strike out "\$2,000," and insert "\$2,500"; also strike out first deputy "\$1,200," and insert "\$800"; also in line 16, strike out "\$2,000," and insert "\$3,000"; also in line 17, strike out "\$1,000," and insert "\$1,200"; also in line 20, strike out "\$2,500," and insert "\$2,000"; also in line 24, strike out "\$2,000," and insert "\$2,500," and insert "deputy, \$2,000"; also in line 33, strike out "\$1,800," and insert "\$2,200"; also in line 34, strike out "\$600," and insert "\$800"; also in line 35, strike out "\$1,500," and insert "\$1,800," and insert "deputy, \$600."

### AMENDMENT.

In section 2, line 4, strike out "\$4,500," and insert "\$3,500"; also in line 9, strike out "\$4,500," and insert "\$3,500"; also in line 10, strike out "4," and insert "1."

### AMENDMENT.

In section 3, line 4, insert "one deputy, \$900"; also in line 6, strike out "\$1,800," and insert "\$1,400"; also in line 9, strike out "two," and insert "for both"; also in line 16, insert "deputy, \$600"; also in line 17, strike out "\$3,000," and insert "\$3,500."

## AMENDMENT.

In section 4, line 7, insert "deputy, \$1,000"; also in line 13, strike out "\$2,000," and insert "\$2,500," and insert "deputy, \$1,000"; also in line 17, strike out "\$2,000," and insert "\$2,500"; also in line 18, strike out "\$1,000," and insert "\$1,500"; also in line 19, strike out "\$1,200," and insert "\$1,500"; also in line 22, strike out "\$2,500," and insert "\$2,000"; also in line 26, strike out "\$2,500," and insert "\$3,000"; also in line 27, insert "two" for "both," also strike out "\$1,800," and insert "\$2,500"; also in line 29, strike out "\$2,000," and insert "\$1,600," and insert "deputy, \$600"; also in line 38, strike out "\$2,000," and insert "\$2,600"; also in line 39, strike out "\$2,000," and insert "\$2,500"; also after line 41, insert "deputy, \$600"; also in line 42, strike out "\$5,000," and insert "\$4,500."

## AMENDMENT.

Strike out all of sections 5 and 6.

## AMENDMENT.

Sections 7, 8, 9, 10, 11, 12, 13, and 14 shall be numbered sections 5, 6, 7, 8, 9, 10, 11, and 12 respectively.

## AMENDMENT.

In section 4, line 12, strike out "\$1,000" and insert "\$1,200" in lieu thereof.

## AMENDMENT.

In section 2, line 4, strike out "\$3,500" and insert "\$3,000" in lieu thereof; also in section 2, line 9, strike out "\$3,500" and insert "\$3,000" in lieu thereof.

Section 3, line 17, to remain as it is in the bill—\$3,000.

Section 4, line 42, to remain as it is in the bill—\$5,000.

The intention is, to make clerk of the county court, \$3,000; clerk of the circuit court, \$3,000; recorder, \$3,000; sheriff, \$5,000.

## AMENDMENT.

In section 2, line 25, strike out the figures "\$2,400" and insert "\$2,000" in lieu thereof.

## AMENDMENT.

In section 1, line 30, strike out "\$1,800" and insert "\$2,000" in lieu thereof; also one deputy at \$1,200.



## AMENDMENT.

In section 4, line 18, reprinted bill, after the words "one deputy," add the words "and expenses"; also in section 4, line 14, strike out "\$2,400" and insert "\$2,000" in lieu thereof.

Section 4, line 15, to remain as it is for clerk — \$2,000.

## AMENDMENT.

In section 1, line 5, strike out "\$1,800" and insert "\$1,500" in lieu thereof.

## AMENDMENT.

In proper place insert "the recorder of Benton county, \$1,000"

On motion of Mr. Cogswell, senate bill No. 50 was referred to the committee on judiciary.

Mr. Steiwer, from the committee on claims, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your committee on claims, to whom was referred house bills Nos. 70 and 33, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. W. STEIWER,  
JEFF MYERS,  
Committee.

House bills Nos. 70 and 33 passed to third reading.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 51.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 51 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 13.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate joint resolution No. 13 was ordered enrolled.

Mr. McGinn, chairman of the joint committee appointed under senate concurrent resolution No. 4, submitted the following report:—

## REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 3, 1893. }

*Mr. President:*

Your joint committee, appointed to visit the Oregon state university, respectfully submit the following report:

We have visited the university located at Eugene, Oregon, and examined into the workings of the various departments as thoroughly as the limited time at our disposal would permit, and do not hesitate to report that the university is an institution of learning of which the state of Oregon may well be proud. It is an institution of learning calculated to mature and fit the minds of young men and women of our state with the highest educational attainments of a thorough collegiate course, and there is evidence on every hand to show that the managers of the university are working to that end, and doing so very successfully.

We find the grounds and buildings and the rooms therein of the university to be neatly kept, and the classes all conducted in a very systematic manner. We were kindly shown through the museum by Professor Condon, which we soon realized to be one of the best collections of specimens in the state. The university is in need of a fire proof building for the museum, as the specimens therein are of immense value, and in case of fire would be an irreparable loss to the state. The university has a well selected library, but is in need of more room to meet the additions which are being made each year. We believe that appropriations made at the last session of the legislature for repairs of buildings, etc., have been wisely and judiciously expended.

The number of students we find to be nearly the same as reported at the last session of the legislature. While the university is in a prosperous condition, we realize that the increase in the number of students is not as great as many may expect. The cause of this we believe to be due, not to the lack of any diligence or effort on the part of the managers of the institution, but owing to the fact that other institutions of learning in this state have dormitories, thus being able to furnish the students room and board much cheaper than can be obtained under the present circumstances at Eugene, and that this condition of affairs has occurred during the past two years, and thus places this institution at a great disadvantage.

We believe the people of this state are anxious to have the beneficial influence of this institution extended to as great a number as possible, and believing that a dormitory to accommodate young men and women with cheap living is essential to that end, we therefore recommend that the sum of \$25,000 be appropriated by this session of the legislature for that purpose, that being the estimated cost thereof, and that the same be thus expended under the supervision of the board of regents.

H. E. MCGINN,  
Senate committee.  
H. W. LAMSON,  
O. C. BROWN,  
W. R. KING,  
House committee.

On motion of Mr. McGinn, the report was referred to the committee on ways and means.

Mr. McGinn, chairman of the joint committee appointed to visit state normal school at Monmouth, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1893. }

*Mr. President:*

Your committee appointed to visit the state normal school at Monmouth, Oregon, beg leave to submit the following report:

We, in company with many honorable members of both the house and senate, visited the above institution. We desire to acknowledge our appreciation of the kind, courteous, and generous manner in which we were received at said institution. We spent the two hours' time at our disposal while there in an examination

of the various departments and workings of the Oregon state normal school at Monmouth, Oregon. The faculty and students are earnest and enthusiastic in their work, and we were especially impressed with the diligence which seemed to pervade every department.

The Oregon state normal school is an institution of learning calculated to train and fit the minds of young men and women of our state for teachers. To that end, we believe, the institution to be working with great success. The present scholastic year is a very prosperous one, there being in attendance 370 students.

The normal school needs additional buildings to accommodate the rapidly increasing number of students, which is evident will continue during the next two years as it has during the past two years.

Respectfully submitted.

H. E. MCGINN,  
W. F. MATLOCK,  
Senate committee.

H. W. LAMSON,  
O. C. BROWN,  
W. R. KING,  
House committee.

On motion of Mr. McGinn, the report was referred to the committee on ways and means.

Mr. Looney, chairman of the committee on commerce, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your committee on commerce, to whom was referred house bill No. 223, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, house bill No. 223 was ordered to third reading tomorrow.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 42.

And the same is herewith transmitted to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 42 was ordered enrolled.

On motion of Mr. Alley, house bill No. 120 was taken from the table.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Butler, Cross, Dodson, Hayes, Hirsch, Huston, Looney, Maxwell, McGinn, Raley, Woodard, and Mr. President—14.

Nays—Messrs. Beckley, Blackman, Cameron, Cogswell, Crosno, Matlock, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, and Willis—14.

Absent—Messrs. Denny and Gates—2.

So the bill failed to pass.

The president announced that he had appointed Messrs. Cross, Butler, and Willis a special committee to whom was referred house bill No. 368.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 11, suspending rule 11 of the joint rules, to permit house bill 379 to be sent to the senate for concurrence, and for no other purpose.

And the same are herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## HOUSE JOINT RESOLUTION NO. 11.

*Resolved by the House, the Senate concurring,* That joint rule No. 11 of the joint rules of the house and senate be suspended, so as to permit house bill No. 379 to be sent for concurrence to the senate, and for no other purpose.

Mr. Huston moved that the senate concur in the adoption of the joint resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Dodson, Hayes, Hirsch, Huston, Looney, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—21.

Nays—Messrs. Alley, Cogswell, Maxwell, Myers, Veatch, and Weatherford—6.

Absent—Messrs. Denny, Gates, and Matlock—3.

So the senate concurred in the adoption of the resolution.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 25, with the following amendment.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## AMENDMENT.

Strike out all after the word "follows," in line 7, section 1 of the original bill, and insert the following:

Sec. 2364. The fees of the assessors shall be three dollars per day, except in the counties east of the Cascade mountains and of Jackson, Josephine, Douglas, Tillamook, Clackamas, Clatsop, and Marion, where they shall receive four dollars per day for their services as assessors, and in Multnomah county he shall receive six thousand dollars per annum for his services as assessor of said county. The per diem of commissioners of the county court shall be for each day so employed in the transaction of county business three dollars, except in the counties of Douglas, Lake, Klamath, Jackson,

and Yamhill, where they shall be four dollars per day, and in the county of Union, where they shall be six dollars per day for every day employed in the transaction of county business.

On motion of Mr. Cogswell, the bill was referred to the committee on federal relations.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1893.

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 15, with the following amendment.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### AMENDMENT.

Amend section 4 of the bill by striking out all of that portion of said section commencing with the word "and," in line 5, to and including the word "act," in line 6, as follows: "and it shall be lawful for the owner or possessor of such premises to catch or kill any dog trespassing as mentioned in this act."

On motion of Mr. Denny, the senate concurred.

The hour having arrived for the consideration of house bill No. 233, the question being, "Shall the bill pass?" notwithstanding the objections and the veto of the governor thereto.

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McAlister, McGinn, Raley, Steiwer, Willis, Woodard, and Mr. President—22.

Nays—Messrs. Beckley, Huston, Myers, Smith, Vanderburg, Veatch, and Weatherford—7.

Absent—Mr. Matlock—1.

So the bill passed, notwithstanding the objections and veto of the governor.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1893.

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 108.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 108 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 254 and house concurrent resolution No. 28.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bill No. 254 and house concurrent resolution No. 28, and soon thereafter that he had signed the same.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 379,—a bill for an act to provide for the collection of taxes.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 379 was read first time and passed to second reading without question.

Mr. Willis, chairman of the special committee consisting of the senators from Multnomah county, to whom was referred house bill No. 141, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your special committee, to whom was referred house bill No. 141,



beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

P. L. WILLIS,  
Chairman.

By unanimous consent, house bill No. 141 was read third time now.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McGinn, Raley, Smith, Vanderburg, Veatch, Willis, Woodard, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Cross, McAlister, Myers, Steiwer, and Weatherford—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Willis, chairman of the committee on assessments, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee on assessments, to whom was referred house bill No. 140, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

In the title of said bill, strike out the words and figures "on page 1225."

#### AMENDMENT.

In section 1, line 1 of printed bill, strike out the words and figures "on page 1225"; also strike out of the remainder of section 1 after the word "purposes," in line 5 of printed bill, and insert the following in lieu thereof: "which shall aggregate an amount which shall be as much or more per capita for each and all of the children within the county between the ages of four and twenty years, as

shown by the then last preceding school census, as the aggregate amount of the school tax levied in the county for the year 1892 amounted per capita for each and all of the children between the ages of four and twenty years then in the county, as shown by the school census next preceding the time of the levy of such tax for said year 1892; which shall be collected at the same time, and in the same manner, and by the same officers that other taxes shall be collected."

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, the report was adopted.

Mr. Willis, chairman of the committee on assessments, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your committee on assessments, to whom was referred house bill No. 343, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In section 2, line 2 of the printed bill, between the words "been" and "equalized" insert the word "finally"; also in section 2, lines 2 and 3 of printed bill, strike out the words "by the several county boards of equalization and the state board of equalization"; also in section 2, line 8 of printed bill, after the word "consecutively" and before the word "with" strike out the word "and."

AMENDMENT.

In section 6, line 9 of printed bill, strike out the word "assessments" and insert the word "amounts" in lieu thereof.

AMENDMENT.

In section 7, line 2 of printed bill, strike out the words "the same"; also in section 7, line 3 of printed bill, between the words "them" and "taking" insert the words: "the amounts thereof to which they are respectively entitled."

AMENDMENT.

Strike out all of section 9 of the engrossed bill, and number section 10 section 9.

P. L. WILLIS,  
Chairman.

On motion of Mr. Huston, the report was adopted.

House bill No. 343 was ordered to third reading.

Mr. Hayes, chairman of the committee on railroads, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your committee on railroads, to whom was referred house bill No. 376, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

G. E. HAYES,  
Chairman.

House bill No. 376 passed to third reading.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 164.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 164 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 136.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 136 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 91.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 91 was ordered enrolled.

House bill No. 206 coming on for third reading, was read third time.

Pending a vote on which, on motion of Mr. Veatch, the senate adjourned.

O. P. MILLER,  
Chief clerk.

#### AFTERNOON SESSION.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 16, 1893. }

The senate was called to order at 2 o'clock P. M. by the president.

The roll was called, and all the senators were present except Messrs. Hayes, McGinn, and Veatch.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 233.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bill No. 233, passed by the house and senate, notwithstanding the objections and veto of the governor, and soon thereafter that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 63, with the following amendments.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

AMENDMENT.

After the words "chapter XX." in the title insert "and section 3072 of chapter XXII."

AMENDMENT.

Add to the bill a new section, as follows:

Section 2. That section 3072 of chapter XXII. of Hill's annotated laws of Oregon, compilation of 1887, be and the same hereby is amended so as to read as follows:

Sec. 3072. A will made by an unmarried woman shall not be revoked by her subsequent marriage.

AMENDMENT.

Add to the bill another section, as follows:

Section 3. This act shall not in any manner abolish or effect estates by the entirety.

O. F. PAXTON,  
Chairman.

On motion of Mr. Denny, senate bill No. 63 was referred to the committee on judiciary for investigation.

On motion of Mr. Blackman, the courtesies of the senate were extended to Hon. F. V. Holman and Capt. R. W. Mitchell, and they were invited to seats within the bar of the senate.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 40.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
 Chief clerk.

Senate bill No. 40 was ordered enrolled.

Mr. Cross, chairman of the committee on roads and highways, submitted the following report:—

## REPORT.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 February 16, 1893. }

*Mr. President:*

Your committee on roads and highways, to whom was referred house bill No. 162, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

H. E. CROSS,  
 Chairman.

On motion of Mr. Cross, house bill No. 162 was indefinitely postponed.

Mr. Cross, chairman of the committee on roads and highways, submitted the following report:—

## REPORT.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 February 16, 1893. }

*Mr. President:*

Your committee on road and highways, to whom was referred house bill No. 100, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

H. E. CROSS,  
 Chairman.

On motion of Mr. Cross, house bill No. 100 was ordered to third reading.

Mr. Cross, chairman of the committee on roads and highways, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your committee on roads and highways, to whom was referred house bill No. 62, beg leave to report that we have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

## AMENDMENT.

In section 1, line 1 of printed bill, strike out the words "only lumber."

H. E. CROSS,  
Chairman.

On motion of Mr. Cross, the report was adopted.  
House bill No. 62 passed to third reading.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bills Nos. 82 and 46.

And the same are herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bills Nos. 82 and 46 were ordered enrolled.

At the hour of adjournment the senate had under consideration house bill No. 206.

Mr. Blackman moved a call of the senate.

The motion prevailed.

The roll was called and those present were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Hayes and McGinn—2.

On motion of Mr. Blackman, further proceedings under the call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Weatherford, Willis, Woodard, and Mr. President—24.

Nays—Messrs. Beckley, Butler, Cross, Huston, Vanderburg, and Veatch—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Beckley moved that the rules be suspended, and that house bill No. 10 be recalled from the committee on fisheries and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Butler, Cameron, Cogswell, Crosno, Dodson, Huston, Looney, Raley, Smith, Steiwer, Vanderburg, Veatch, and Weatherford—14.

Nays—Messrs. Alley, Bancroft, Cross, Denny, Gates, Hayes, Hirsch, Matlock, Maxwell, McAlister, McGinn, Willis, Woodard, and Mr. President—14.

Absent—Messrs. Blackman and Myers—2.

So the senate refused to suspend the rules.

Mr. Willis, chairman of the special committee consisting of the senators from Multnomah county, to whom was referred house bill No. 381, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your special committee, to whom was referred house bill No. 381, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

P. L. WILLIS,  
Chairman.



Mr. Willis moved that the rules be suspended and that house bill No. 381 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Blackman, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—26.

Nays—Mr. Beckley—1.

Absent—Messrs. Alley, Cogswell, and Raley,—3.

So the rules were suspended and house bill No. 381 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Nays—Mr. Beckley—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The president announced that he had appointed under house concurrent resolution No. 15, Messrs. Hayes and Beckley.

Mr. McGinn, chairman of the committee on claims, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your committee on claims, to whom was referred house bill No. 318, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

#### AMENDMENT.

Amend section two (2) so as to read as follows:

Section 2. That the state treasurer be and is hereby authorized

and directed to credit to Umatilla county, on account of the current expense and the special state taxes for 1891, the sum of \$244.05, on account of errors in the assessment roll of said county of 1891, as shown by a statement on file in the office of the secretary of state.

#### AMENDMENT.

Add section 3 as follows:

Section 3. Inasmuch as the counties named have been for several months deprived of the use of the several amounts named, this act shall take effect and be in force from and after its approval by the governor.

H. E. MCGINN,  
Chairman.

On motion of Mr. Steiwer, the report was adopted.

House bill No. 318 was ordered to third reading.

Mr. Cameron, chairman of the committee on corporations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your committee on corporations, to whom was referred house bill No. 137, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, further consideration of house bill No. 137 was indefinitely postponed.

Mr. Cross, chairman of the special committee appointed to ascertain the mileage of the members of the senate, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your special committee, appointed to ascertain the number of miles traveled by each member of the senate in going to and return-

ing from the seat of government, and for committee work, has considered the same, and beg leave to submit its conclusions as follows:

<i>Names.</i>	<i>Miles.</i>	<i>Names.</i>	<i>Miles.</i>
Alley-----	306	Looney-----	48
Bancroft-----	866	Matlock-----	804
Beckley-----	280	Maxwell-----	480
Blackman-----	506	McAlister-----	724
Butler-----	40	McGinn-----	340
Cameron-----	600	Myers-----	260
Cogswell-----	986	Raley-----	646
Crosno-----	232	Smith-----	346
Cross-----	1,030	Steiwer-----	508
Denny-----	104	Vanderburg-----	626
Dodson-----	1,166	Veatch-----	1,062
Gates-----	204	Weatherford-----	816
Hayes-----	84	Willis-----	108
Hirsch-----	2	Woodard-----	104
Huston-----	144	Mr. President-----	324

H. E. CROSS,  
Chairman.

On motion of Mr. Cross, the report was adopted.

Mr. Cogswell, chairman of the committee on federal relations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your committee on federal relations, to whom was referred senate bill No. 25, beg leave to report that the senate do concur in the house amendments to said bill with the following amendment:—

#### AMENDMENT.

In line 11 of original amendments, after the word "Yamhill," add the word "Gilliam," so that the commissioners of the county court of Gilliam county shall receive four dollars per day.

C. A. COGSWELL,  
Chairman.

On motion of Mr. Cogswell, the report was adopted, and senate bill No. 25 was transmitted to the house for their consideration.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 115 with the following amendment.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## AMENDMENT.

Insert in section 145 after the words "upon real or personal property," at the end of subdivision 1, section 145, "or if so secured the security has been rendered nugatory without the fault of the plaintiff."

On motion of Mr. Cogswell, senate bill No. 115 with the house amendments was referred to the committee on judiciary.

House bill No. 194 coming on for third reading, on motion of Mr. Willis, further consideration was indefinitely postponed.

House bill No. 169 coming on for third reading, was read third time.

By unanimous consent, the following amendments were submitted:—

## AMENDMENT.

By Mr. Cameron, after the word "Josephine," strike out "\$500," and insert in lieu thereof "\$600."

## AMENDMENT.

By Mr. Steiwer, after the word "Gilliam," strike out "\$400," and insert in lieu thereof "\$500."

## AMENDMENT.

By Mr. Maxwell, after the word "Tillamook," strike out "\$300," and insert in lieu thereof "\$500."

## AMENDMENT.

By Mr. Veatch, after the word "Lane," strike out "\$700," and insert in lieu thereof "\$800."

## AMENDMENT.

By Mr. Dodson, after the words "Morrow county, \$900," insert "Malheur county, \$500."

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—None.

Absent—Messrs. Bancroft, Beckley, Hayes, Hirsch, and McGinn—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bills Nos. 140 and 22.

And the same are herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bills Nos. 140 and 22 were ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate's amendments to house bill No. 206.

D. C. SHERMAN,  
Chief clerk.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 42, 91, 136, and 164, and senate joint resolution No. 13, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

House bill No. 24 coming on for third reading, was read third time.

On motion of Mr. Cogswell, house bill No. 24 was referred to the committee on judiciary, with instructions to ascertain if there was not already such a law.

House bill No. 63 coming on for third reading, on motion of Mr. Cogswell, further consideration was indefinitely postponed.

House bill No. 297 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—Mr. Beckley—1.

Absent—Messrs. Alley and McGinn—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Huston, the vote by which the consideration of house bill No. 63 was indefinitely postponed was reconsidered.

House bill No. 63 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—Mr. Beckley—1.

Absent—Messrs. Hirsch, Matlock, McGinn, and Veatch—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 63, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not concur in the amendments of the house.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

House bill No. 258 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—Mr. Beckley—1.

Absent—Messrs. Denny, Gates, Myers, and Veatch—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 55.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 55 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate's amendments to house bill No. 169.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bills Nos. 128 and 129.

And the same are herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bills Nos. 128 and 129 were ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate's amendments to house amendments to senate bill No. 25.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 25 was ordered enrolled.

House bill No. 320 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell,



Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—Mr. Beckley—1.

Absent—Messrs. Denny, McGinn, Raley, and Veatch—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

By unanimous consent, Mr. Myers introduced senate joint memorial No. 3.

#### SENATE JOINT MEMORIAL NO. 3.

*To the Honorable Senate and House of Representatives of the United States in Congress assembled:* Your memorialists, the legislature of the state of Oregon, most respectfully represent:

Whereas the people of this nation are arousing themselves to a realization of the fact that the methods of constructing and maintaining roads and highways have in no sense kept pace with the progress made by all other public institutions, but in most states and territories of the union the methods of road construction and maintenance now in vogue are no better than the methods pursued in the old New England colonies more than a century ago; and whereas the rapid construction of railroads has accomplished in opening up for civilization and settlement vast areas of our public domain, thereby emphasizing the great need of more public roads of an improved character; therefore

*Resolved,* That our senators and representatives in congress be hereby requested to urge upon congress the establishment, in the city of Washington, in the District of Columbia, a road department similar to the agricultural department, for the purpose of promoting knowledge in the art of constructing and maintaining roads, and that in connection with this road department there be established a permanent exhibit illustrating various methods of road construction, and also the best road materials and machinery; and be it further

*Resolved,* That our senators and representatives in congress be also hereby requested to urge that proper provision be made to establish in every agricultural college receiving support from the federal government a department of instruction devoted to road engineering, so that there may be most speedily disseminated throughout the nation an accurate and scientific knowledge of the most improved methods of road construction, and thereby resulting naturally in greatly improved roads and highways in all states and territories, and your memorialists will ever pray.

On motion of Mr. Cogswell, senate joint memorial No. 3 was referred to the committee on federal relations.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 15, 40, 46, 51, and 82, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

On motion of Mr. Cogswell, the courtesies of the senate were extended to Colonel Beebe, and he was invited to a seat within the bar of the senate.

Mr. Hirsch, chairman of the committee appointed under senate concurrent resolution No. 2, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1893. }

*Mr. President:*

Your committee appointed under house concurrent resolution No. 2, to examine the books and accounts of the state treasurer's office, having performed said duty, beg to report as follows:

As authorized by your resolution, we employed expert accountants, who, under our direction and such personal supervision as our legislative duties enabled us to give to the investigation, have proceeded as follows: Every receipt given by the treasurer in the past two fiscal years, duplicates of which are filed with the secretary of state, has been compared with the entry in the cash book, and all moneys received by him found to be correctly recorded and accounted for. The total receipts to each fund are given in the treasurer's report and are found correct. Each and every payment made during the past two years is found to have been made in accordance with law, on warrants of the secretary of state, and correctly charged to the proper fund, the condition of which is accurately set forth in the printed report. The warrant for each disbursement has been compared with the books and report, which have been found to agree; and the footings of the various funds

are found to be correct. Our accountants have examined in detail every note and mortgage in the common school fund, university fund, and agricultural college fund, and have compared the endorsements of interest on each note and statement of principal received, with the amounts as set forth in the treasurer's report and the corresponding entry in the cash book, and verified the correctness of every such entry. We have personally inspected the securities deposited by the various foreign insurance and express companies, to the amount of two million seven hundred and ten thousand dollars, and find the same as reported by the treasurer. We have examined the books and records of the office, and are pleased to report their neatness and accuracy. Many of the details of the system of accounts have been elaborated by the present treasurer so as to increase the facility of reference and eliminate the possibility of error. Our investigations have been facilitated by the courtesy and willingness of the treasurer and his assistants to furnish all information and documents needed to make our scrutiny complete and exhaustive.

All of which is respectfully submitted,

EDWARD HIRSCH,  
JEFF MYERS,

Senate committee.

J. A. WRIGHT,  
JOHN G. WRIGHT,

House committee.

On motion of Mr. Hirsch, the report was adopted.

By unanimous consent, Mr. Maxwell introduced senate resolution No. 29.

#### SENATE RESOLUTION NO. 29.

*Resolved*, That the calendar clerk shall receive the same salary as that allowed to the first assistant clerk.

Mr. Maxwell moved the adoption of the resolution.

The motion was lost.

House bill No. 104 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President — 28.

Nays — None.

Absent — Messrs. Hayes and Weatherford — 2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 43 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Gates, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Woodard, and Mr. President—20.

Nays—Messrs. Alley, Veatch, and Willis—3.

Absent—Messrs. Blackman, Dodson, Hayes, Hirsch, Steiwer, Vanderburg, and Weatherford—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 34 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Crosno, Cross, Dodson, Gates, Huston, Looney, Matlock, Maxwell, McAlister, Raley, Smith, Steiwer, Veatch, Weatherford, Willis, Woodard, and Mr. President—22.

Nays—Mr. Vanderburg—1.

Absent—Messrs. Blackman, Cogswell, Denny, Hayes, Hirsch, McGinn, and Myers—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 151 coming on for third reading, was read third time.

On motion of Mr. Weatherford, house bill No. 151 was referred to the committee on judiciary to ascertain if there had not already been a bill passed at this session embodying the same act as this one.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 117 with the following amendment.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

AMENDMENT.

In line 3, section 2, strike out the words "at least twelve" and insert in lieu thereof the words "a majority of."

On motion of Mr. Cross, the senate concurred in the house amendments to senate bill No. 117.

Senate bill No. 117 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 125.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 125 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 15, 40, 46, 51, and 82.

And the same are herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign senate bills Nos. 15, 40, 46, 51, and 82, and soon thereafter that he had signed them.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has receded from its amendment to senate bill No. 63.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 63 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 42, 91, 136, and 164, and senate joint resolution No. 13.

And the same are herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced he was about to sign senate bills Nos. 42, 91, 136, and 164, and senate joint resolution No. 13, and soon thereafter that he had signed them.

House bill No. 243 coming on for third reading, was read third time.

On motion of Mr. Weatherford, house bill No. 243 was referred to the senator from Coos, Curry, and Josephine for investigation.

On motion of Mr. Blackman the courtesies of the senate were extended to Mr. C. A. Malarkey, and he was invited to a seat within the bar of the senate.

House bill No. 282 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—24.

Nays—Mr. Hayes—1.

Absent—Messrs. Beckley, Matlock, Maxwell, McGinn, and Veatch—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 280 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Butler, Cogswell, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, McAlister, Myers, Raley, Smith, Steiwer, Weatherford, Willis, Woodard, and Mr. President—21.

Nays—Messrs. Cameron and Vanderburg—2.

Absent—Messrs. Beckley, Blackman, Denny, Matlock, Maxwell, McGinn, and Veatch—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 292 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—24.

Nays—None.

Absent—Messrs. Beckley, Dodson, Maxwell, McGinn, Raley, and Veatch—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 294 coming on for third reading, was read third time.

On motion of Mr. Weatherford, house bill No. 294 was referred to the committee on federal relations with instructions to ascertain if there was not a similar bill passed by the senate on the same subject.

House bill No. 188 coming on for third reading, was read third time.

On motion of Mr. Cogswell, house bill No. 188 was laid on the table.

House bill No. 283 coming on for third reading, was read third time.

On motion of Mr. Alley, house bill No. 283 was laid on the table.

House bill No. 53 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Gates, Hirsch, Looney, Smith, Steiwer, Weatherford, and Mr. President—12.

Nays—Messrs. Alley, Bancroft, Beckley, Huston, Matlock, McAlister, Myers, Vanderburg, Veatch, Willis, and Woodard—11.

Absent—Messrs. Butler, Denny, Dodson, Maxwell, McGinn, and Raley—6.

Not voting—Mr. Hayes—1.

So the bill failed to pass.

Mr. Cogswell moved a call of the senate.

The motion prevailed.

The roll was called and those present were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Denny, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Absent—Messrs. Butler, Dodson, Maxwell, McGinn, and Raley—5.

On motion of Mr. Cogswell, further proceedings under the call of the senate were dispensed with.

House bill No. 46 coming on for third reading, was read third time.

By unanimous consent, Mr. Weatherford submitted the following amendment:—

#### AMENDMENT.

Amend by adding section 8.

Section 8. This act shall take effect and be in force from and after the first day of January, 1894.

On motion of Mr. Weatherford, the amendment was adopted.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Beckley, Blackman, Butler, Cogswell, Crosno, Denny, Hayes, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Woodard, and Mr. President—21.

Nays—Messrs. Cameron, Gates, and Willis—3.

Absent—Messrs. Bancroft, Cross, Dodson, Hirsch, Maxwell, and McGinn—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.



House bill No. 85 coming on for third reading, was read third time.

Mr. Willis submitted the following amendment:—

**AMENDMENT.**

Amend section 1 by striking out the word "prosecuting" and insert in lieu thereof the word "district."

The amendment was adopted.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Butler, Cameron, Cogswell, Crosno, Denny, Gates, Hayes, Huston, Looney, Matlock, McAlister, Myers, Steiwer, Weatherford, Willis, Woodard, and Mr. President—18.

Nays—Messrs. Beckley, Blackman, Hirsch, Raley, Smith, Vanderburg, and Veatch—7.

Absent—Messrs. Bancroft, Cross, Dodson, Maxwell, and McGinn—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 65 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—23.

Nays—Mr. Veatch—1.

Absent—Messrs. Bancroft, Cross, Hayes, Maxwell, McGinn, and Raley—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 86 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Denny, Dodson, Hirsch, Looney, Matlock, McAlister, Myers, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—19.

Nays—Messrs. Butler, Gates, Huston, Raley, Smith, Veatch, and Weatherford—7.

Absent—Messrs. Cross, Hayes, Maxwell, and McGinn—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 103 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—25.

Nays—Mr. Weatherford—1.

Absent—Messrs. Hayes, Maxwell, and McGinn—3.

Not voting—Mr. Beckley—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 199.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 199 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 159.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 159 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 23.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 23 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate's amendments to house bill No. 85.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 145.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 145 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 70 with the following amendments.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

AMENDMENT.

Strike out the word "fifteen," being the second word in line 8 of section 4 of printed bill, and insert in lieu thereof the word "ten."

AMENDMENT.

Strike out from said line 8 of said section 4 of printed bill the words "and payable in ten years from date."

AMENDMENT.

Strike out from line 3 of section 5 of printed bill the words "the percentage borne by," and insert in lieu thereof the words "ten per cent of the amount of."

AMENDMENT.

Strike out from the said section 5 of printed bill, in line 5, all after the word "bonds" in said line 5, all of line 6 of said section, all of line 7 of said section, and the words "next succeeding five years," being the first four words of line 8 of said section. Strike out the words "the percentage borne by such improvement," being the last five words of line 8 of said section 5 and the first word of line 9 of said section 5.

AMENDMENT.

Insert after the word "to," being the fifth word in line 3 of section 5 of the printed bill, the words "one tenth of."

AMENDMENT.

Insert after the word "to," being the first "to" in line 8 of section 5 of the printed bill, the words "the annual interest on said."

AMENDMENT.

Strike out from lines 4 and 5 of section 6 of the printed bill, the words "the highest and best rate of."

AMENDMENT.

Add after the last word in section 6 of the printed bill, the words "and to give such security as such council or board of trustees

shall demand, but in no case shall any such deposit be made unless security in double the amount deposited be given, and such security shall be approved by the chief executive officer of such municipality before any deposits are made."

On motion of Mr. Bancroft, the bill was referred to the committee on military affairs.

Mr. Bancroft, chairman of the committee on military affairs, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your committee on military affairs, to whom was referred house bill No. 304, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

F. A. BANCROFT,  
Chairman.

House bill No. 304 was ordered to third reading.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 22, 63, 128, 129, and 140, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

Mr. Myers moved that when the senate adjourn, it adjourns to meet at 9 o'clock tomorrow morning.

The motion prevailed.

Mr. Raley moved that the senate do now adjourn.

Lost.

House bill No. 177 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley and Cameron—2.

Nays—Messrs. Beckley, Butler, Cogswell, Cross, Dodson, Gates, Hayes, Huston, Matlock, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—19.

Absent—Messrs. Bancroft, Blackman, Crosno, Denny, Hirsch, Looney, Maxwell, McGinn, and Raley—9.

So the bill failed to pass.

On motion of Mr. Dodson, the senate adjourned.

O. P. MILLER,  
Chief clerk.

FRIDAY, FEBRUARY 17, 1893.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

The senate was called to order at 9 o'clock A. M. by the president.

The roll was called, and all the senators were present except Messrs. Crosno, Denny, Dodson, McGinn, Raley, Veatch, and Weatherford.

The senate was opened with prayer by Rev. Wm. Lund.

On motion of Mr. Huston, the reading of the journal was dispensed with.

House bill No. 92 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Cameron, Cogswell, Cross, Denny, Gates, Hayes, Hirsch, Huston, Looney, McAlister, Myers, Smith, Steiwer, Willis, Woodard, and Mr. President—18.

Nays—Messrs. Butler, Maxwell, Vanderburg, and Veatch—4.

Absent—Messrs. Crosno, Dodson, Matlock, McGinn, Raley, and Weatherford—6.

Not voting—Messrs. Beckley and Blackman—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Bancroft, chairman of the committee on military affairs, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee on military affairs, to whom was referred senate bill No. 70, and amendments, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the amendments be concurred in except No. 5.

F. A. BANCROFT,  
Chairman.

On motion of Mr. Bancroft, the report was adopted.

House bill No. 96 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Cross, Denny, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—None.

Absent—Messrs. Beckley, Crosno, Dodson, McGinn, and Raley—5.

So the bill passed.

By unanimous consent the title was amended as follows:—

## AMENDMENT.

Strike out the present title and in lieu thereof insert the following: An act to repeal an act entitled "An act to authorize the city of Astoria to erect a sea wall, and to grade the streets and construct sewers in connection therewith, and to issue sea wall bonds, and for other purposes relating thereto," filed in the office of the secretary of state, February 18, 1891, be and the same is hereby repealed.

Mr. Alley, chairman of the committee on fishing industries, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee on fishing industries, to whom was referred

house bill No. 204, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

B. F. ALLEY,  
Chairman.

On motion of Mr. Alley, house bill No. 204 was indefinitely postponed.

House bill No. 372 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—23.

Nays—None.

Absent—Messrs. Butler, Denny, Dodson, McGinn, Raley, and Veatch—6.

Not voting—Mr. Weatherford—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The committee on elections submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your committee on elections, to whom was referred house bills Nos. 7, 123, 130, and 175, beg leave to report that we have had the same under consideration, and respectfully report them back to the senate with the recommendation that they do not pass for the reason that having already submitted a very careful and voluminous report and amendments to senate bill No. 134, which, in our opinion, covers the ground contemplated by all the house bills herewith returned; and as our further report must necessarily be a repetition of our report already on file in relation to said senate bill No. 134, we deem the addition of further reports superfluous.

G. E. HAYES,  
S. B. HUSTON,  
C. H. WOODARD,  
Committee.



On motion of Mr. Weatherford, further consideration of house bill No. 7 was indefinitely postponed.

On motion of Mr. Weatherford, further consideration of house bill No. 123 was indefinitely postponed.

On motion of Mr. Weatherford, further consideration of house bill No. 130 was indefinitely postponed.

Mr. Willis moved that house bill No. 175 be ordered to third reading.

Lost.

Mr. Weatherford moved that house bill No. 175 lie on the table.

Lost.

Mr. Cross moved a call of the house.

The motion prevailed.

The roll was called and those present were:

Messrs. Bancroft, Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Denny, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President.

Soon thereafter the sergeant-at-arms appeared with Messrs. Alley, Butler, Dodson, and McGinn.

Mr. Myers moved that further proceedings under the call of the house be dispensed with.

Lost.

On motion of Mr. Cross, further proceedings under call of the house were dispensed with.

Mr. Willis moved that the rules be suspended and house bill No. 175 be read third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Cameron, Crosno, Cross, Denny, Dodson, Hayes, Hirsch, Looney, Matlock, Maxwell, McGinn, Steiwer, Willis, and Mr. President—15.

Nays—Messrs. Alley, Beckley, Blackman, Butler, Cogswell, Gates, Huston, McAlister, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford, and Woodard—15.

So the motion was lost.

House bill No. 160 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Van-

derburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—None.

Absent—Messrs. Beckley, McGinn, and Raley—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 151, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 151 passed to third reading.

There being no objection, Mr. Veatch was excused for one hour.

On motion of Mr. Raley, house bill No. 188 was taken from the table.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—24.

Nays—None.

Absent—Messrs. Cogswell, Cross, Huston, McGinn, and Veatch—5.

Not voting—Mr. Beckley—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Vanderburg, chairman of the special committee to whom was referred house bill No. 243, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your special committee, to whom was referred house bill No. 243, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. S. VANDERBURG,  
Chairman.

House bill No. 243 passed to third reading.

Mr. Willis, chairman of the committee on assessments, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your committee on assessments, to whom was referred house bill No. 171, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

P. L. WILLIS,  
Chairman.

House bill No. 171 passed to third reading.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 23, 25, 55, 108, 145, 159, and 199, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 109 with the following amendments.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## AMENDMENT.

Strike out all of section 21 and insert in lieu thereof the following:

Section 21. To carry out the provisions of this act there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, the sum of twenty-five thousand dollars to purchase the necessary land, to build dormitories and officers' quarters, and dining-hal', schoolrooms, and to fully furnish and equip the same; also to provide for necessary apparatus, heating and water supply, and also to construct and complete a system of sewerage for the said school. And there is hereby appropriated all the proceeds of the sale of the real estate now owned by the Oregon school for deaf-mutes, or, if such real estate shall be occupied and used by the Oregon institute for the blind, the proceeds of the sale of the real estate now occupied by said institute for the blind are also appropriated for the purposes above specified.

## AMENDMENT.

Strike out all of section 4 and in lieu thereof insert the following:

Section 4. The said board of trustees shall have full power to purchase sufficient land for the use of said school, upon which land the buildings and other improvements for the use of said school shall be located; *and it is provided further*, that said land shall be cultivated and improved for the benefit of all state institutions located thereon, which cultivation and improvement shall be done, so far as practicable, by the inmates of such institutions under the direction and supervision of the superintendents thereof; *and it is provided further*, that the school for the deaf-mutes and the Oregon institute for the blind shall be entitled to receive supplies of small fruits, vegetables, and other farm and garden products now produced and that shall hereafter be produced upon the farm lands purchased and now owned by the state for the use of the state

insane asylum, the Oregon state prison, and the state reform school; *provided*, that such supplies shall be furnished said schools at such times and in such quantities as may be found practicable by the superintendents of the above-named state institutions, viz.: the state insane asylum, the state prison, and the state reform school.

#### AMENDMENT.

Strike out all of section 19 and insert in lieu thereof the following:

Section 19. When the said board of trustees shall have carried out the provisions of this act as hereinbefore specified, and shall have purchased land, built buildings, and completed the same fully, ready for the occupancy of said school, its officers, and employes, then and that time the present sites now occupied by said school in the city of Salem may be sold by said board of trustees, and the proceeds thereof, as hereinbefore specified, shall be applied towards the support and maintenance of said school in such manner as may be deemed best by said board; *it is provided, however*, that said board may transfer the said real estate to and for the use of the Oregon institute for the blind upon the conditions that provisions be made by law that in case of such transfer and use the real estate now owned and used for the said institute for the blind may be sold and the proceeds of such sale used for the school for deaf-mutes; *and it is further provided*, that if for the best interests of both schools, the school for deaf-mutes and the Oregon institute for the blind, and the same be deemed advisable and found necessary by the said board of trustees, then and in that case they, the said board of trustees, are hereby authorized and empowered to locate both schools on the same premises that may be purchased under section four (4) of this act, and the present properties now occupied by the said schools may be sold by said board of trustees and the proceeds thereof applied and appropriated jointly towards the support and maintenance of said schools in such manner as may be deemed best by said board.

On motion of Mr. Blackman, the senate concurred in the house amendments.

Senate bill No. 109 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 22, 63, 128, 129, and 140.

And the same are herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced he was about to sign senate bills Nos. 22, 63, 128, 129, and 140, and soon thereafter that he had signed them.

House bill No. 377 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McAlister, Steiwer, Veatch, Willis, Woodard, and Mr. President—22.

Nays—Mr. Beckley—1.

Absent—Messrs. Matlock, McGinn, Myers, Raley, Smith, Vanderburg, and Weatherford—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 50, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate concur in the house amendments.

O. N. DENNY,  
Chairman.

On motion of Mr. Cross, the report was adopted, and the senate concurred in the house amendments to senate bill No. 50.

Senate bill No. 50 was ordered enrolled.

House bill No. 40 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron,

Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Maxwell, McAlister, Myers, Steiwer, Vanderburg, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Hirsch, Matlock, McGinn, Raley, Smith, Veatch, Weatherford, and Woodard—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 333 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Maxwell, McAlister, Myers, Steiwer, Vanderburg, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Beckley, Hirsch, Matlock, McGinn, Raley, Smith, Veatch, Weatherford, and Woodard—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Cogswell, chairman of the committee on federal relations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your committee on federal relations, to whom was referred senate joint memorial No. 3, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be adopted with the following amendments:—

#### AMENDMENT.

Strike out the words "similar to the agricultural department," in line 20, and insert in lieu thereof the words "as an adjunct of the department of agriculture."

## AMENDMENT.

Strike out the word "and" in line 31 of said memorial.

## AMENDMENT.

Strike out the words "and thereby resulting," in line 33 of said memorial, and insert in lieu thereof the words "which will result."

C. A. COGSWELL,

Chairman.

On motion of Mr. Cogswell, the report was adopted and the chief clerk inserted the amendments.

Mr. Myers moved the adoption of the joint memorial.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—26.

Nays—None.

Absent—Messrs. Matlock, McAlister, McGinn, and Raley—4.

So the memorial was adopted.

Mr. Cross, chairman of the special committee, submitted the following report:—

## REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 17, 1893. }

*Mr. President:*

Your special committee, to whom was referred house bill No. 368, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

H. E. CROSS,

Chairman.

House bill No. 368 was ordered to third reading.

House bill No. 151 having been read third time, Mr. Cross moved that further consideration be indefinitely postponed.

Messrs. Blackman and Willis called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Looney, Maxwell, Myers, Smith, Vanderburg, Weatherford, and Woodard—16.



Nays—Messrs. Bancroft, Beckley, Blackman, Butler, Huston, Steiwer, Willis, and Mr. President—8.

Absent—Messrs. Hirsch, Matlock, McAlister, McGinn, Raley, and Veatch—6.

So further consideration was indefinitely postponed.

Mr. Maxwell was granted leave of absence for the afternoon.

House bill No. 368 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Myers, Steiwer, Vanderburg, Weatherford, and Willis—20.

Nays—Mr. President—1.

Absent—Messrs. Hirsch, Matlock, Maxwell, McAlister, McGinn, Raley, Smith, Veatch, and Woodard—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
SALEM, Oregon, }  
February 17, 1893. }

*To the Honorable the Senate of the State of Oregon:* I respectfully request the confirmation of the following appointments:—

Members of the board of regents of the state agricultural college of the state of Oregon—T. W. Davenport, appointed March 19, 1891, to fill vacancy caused by resignation of J. W. Grimm; W. A. Sample, appointed July 13, 1891, to fill vacancy caused by death of Thos. E. Cauthorn; A. R. Shipley, appointed November 6, 1889, to fill vacancy caused by resignation of F. A. Bailey; Bernard Daly, appointed February 16, 1893, to fill vacancy caused by death of W. S. Ladd; W. P. Keady, appointed February 15, 1892, to succeed himself; J. K. Weatherford, appointed February 15, 1892, to succeed himself; J. T. Apperson, appointed February 15, 1892, to succeed himself.

Members of the board of regents of the state university—C. C. Beekman, appointed February 16, 1893, to succeed himself; Henry Failing, appointed February 16, 1893, to succeed himself; A. G. Hovey, appointed February 16, 1893, to succeed Rodney Scott, whose term has expired.

Members of the board of regents of the normal school of the state of Oregon, all appointed on May 20, 1891—J. B. V. Butler for 6 years; P. Haley, 6 years; J. C. White, 6 years; J. J. Daley, 4 years; Jacob Voorhees, 4 years; Alfred Lacy, 4 years; Benjamin Schofield, 2 years; W. H. Holmes, 2 years; A. Noltner, 2 years.

H. B. Compson, brigadier-general, appointed December 16, 1891.

R. W. Mitchell, adjutant-general, appointed October 12, 1891.

Jeff Myers, lieutenant-colonel and aid-de-camp, appointed July 19, 1892.

Walter S. Perry, assistant adjutant and major, appointed November 24, 1891.

SYLVESTER PENNOYER,  
Governor.

Mr. Alley moved that the appointment of T. W. Davenport, W. A. Sample, A. R. Shipley, Bernard Daly, W. P. Keady, J. W. Weatherford, and J. T. Apperson as members of the board of regents of the state agricultural college be confirmed.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, McAlister, Myers, Steiwer, Vanderburg, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Hirsch, Matlock, Maxwell, McGinn, Raley, Smith, Veatch, and Woodard—8.

Not voting—Mr. Weatherford—1.

Mr. Weatherford was excused from voting.

The motion prevailed, and the nominations were confirmed.

Mr. Alley moved that the following nominations be confirmed for board of regents for the state university: C. C. Beekman, Henry Failing, and A. G. Hovey.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Gates, Hayes, Looney, McAlister, Myers, Steiwer, Vanderburg, Weatherford, Willis, and Mr. President—19.

Nays—None.

Absent—Messrs. Cross, Dodson, Hirsch, Matlock, Maxwell, McGinn, Raley, Smith, Veatch, and Woodard—10.

Not voting—Mr. Huston—1.

The motion prevailed, and the nominations were confirmed.

Mr. Butler moved that the following nominations for board of regents for the state normal school be confirmed: J. B. V. Butler,

P. Haley, J. C. White, J. J. Daly, Jacob Voorhees, Alfred Lacy, Benjamin Schofield, W. H. Holmes, and A. Noltner.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, McAlister, Myers, Steiwer, Vanderburg, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Alley, Hirsch, Matlock, Maxwell, McGinn, Raley, Smith, Veatch, and Woodard—9.

The motion prevailed, and the nominations were confirmed.

Mr. Blackman moved that the following nominations be confirmed: H. B. Compson, brigadier-general; R. W. Mitchell, adjutant-general; Jeff. Myers, lieutenant-colonel and aid-de-camp; Walter S. Perry, assistant adjutant and major.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, McAlister, Steiwer, Vanderburg, Weatherford, Willis, and Mr. President—20.

Nays—None.

Absent—Messrs. Alley, Hirsch, Matlock, Maxwell, McGinn, Raley, Smith, Veatch, and Woodard—9.

Not voting—Mr. Myers—1.

Mr. Myers excused from voting.

The motion prevailed, and the nominations were confirmed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed House bills Nos. 34, 43, 46, 63, 65, 85, 104, 169, 206, 258, 280, 282, 292, 297, 320, and 381.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced he was about to sign house bills Nos. 34, 43, 46, 63, 65, 85, 104, 169, 206, 258, 280, 282, 292, 297, 320, and 381, and soon thereafter that he had signed them.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has receded from its amendment, No. 5, to senate bill No. 70.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 70 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate's amendments to house bill No. 96.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 12,—relating to printing of 11,000 copies of school laws.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## HOUSE JOINT RESOLUTION NO. 12.

*Be it resolved by the House, the Senate concurring,* That the secretary of state be is hereby authorized and directed to cause to be published eleven thousand (11,000) copies of the amended school laws, including the amendments made at the regular session of January and February, 1893, and to include, also, the constitution of Oregon, the rules and regulations of the state board of education, and

a uniform system of institute and grade work, and a series of necessary blank forms for the use of teachers, district clerks, and school directors of our public schools.

*Resolved further*, That the secretary of state shall cause this compilation of the school laws to be arranged, annotated, and compiled under the direction and supervision of the attorney-general and the superintendent of public instruction, who shall, when the school laws are printed and completed, distribute sufficient supplies to the several county superintendents in this state, who shall cause the same to be immediately distributed to the several school officers and teachers in their respective counties.

*Resolved further*, That each member of this legislative assembly be furnished with a copy of the new compilation of school laws when completed and published.

Mr. Crosno moved that the senate concur in the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Gates, Hayes, Huston, Looney, Matlock, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Alley, Dodson, Hirsch, Maxwell, Raley, Veatch, and Woodard—7.

Not voting—Messrs. Beckley and Cross—2.

The resolution was adopted.

Mr. Steiwer, chairman of the joint committee appointed under senate concurrent resolution No. 4, to investigate the books and accounts of the board of school land commissioners, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee, appointed under senate concurrent resolution No. 4, to examine the books and accounts of the board of commissioners for the sale of school and university lands, have completed our labor, and beg leave to report as follows:

We have, with the assistance of competent accountants, pursued our investigation in as thorough a manner as the time at our disposal would permit.

The accounts for the land sold have been carefully compared with the entries in the cashbook and also with endorsements on the notes given for deferred payments, and the entries for cash sales with the consideration named in the deeds. We have carefully added all the columns of entries in the cashbook and compared the totals with entries in the ledger, and the credits in the ledger with the state treasurer's receipts and these with the duplicates on file in the office of the secretary of state. We have found the cash accounts absolutely correct, and all moneys accounted for; the papers and records neatly kept and systematically arranged; the clerical work of said office exceedingly well performed, and the system of accounts and general manner of conducting the business of the office to be plain, complete, and comprehensive, reflecting credit upon Mr. Geo. W. Davis, clerk of the board.

The old school land tractbooks we find in a bad condition, from the following facts:

First—The forms of the books are not suitable for the present improved and complete system of records of the office.

Second—The books were opened and arranged in an improper and an irregular manner by Thomas H. Cann, and in such a manner as to make it impossible to entirely remedy the defective and imperfect arrangement without completely rewriting the books.

Third—The entries have completely filled all the available entry space, and as a result accounts have been carried forward to other pages, creating much confusion and a tendency to mistakes.

We would, therefore, recommend that a sufficient sum be added to the usual amount appropriated for the expenses of the office to provide for the making of a complete set of new tractbooks for the office.

At the earnest request of the chairman of the committee, we have carefully examined the applications for the sale of state selections of indemnity school lands, and have found these selections based on valid applications filed in compliance with the law regulating the same.

W. W. STEIWER,  
Chairman.

On motion of Mr. Steiwer, the report was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house joint resolution No. 13,—providing for compilation and printing of road laws and fish and game laws.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### HOUSE JOINT RESOLUTION NO. 13.

Whereas a number of amendments will have been made to the road laws and fish and game laws at this session of the legislature; therefore, be it

*Resolved by the House, the Senate concurring,* That the secretary of state be and is hereby directed to compile and prepare the road laws and the fish and game laws of the state as amended this session of the legislature, and cause to be issued — copies of the former and — copies of the latter to the proper officers of the state.

Mr. Denny moved to amend by inserting before the word "copies" "5,000," so that it will read "5,000 copies of the former and 5,000 copies of the latter."

The amendment was adopted.

Mr. Denny moved that the resolution as amended be adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Cogswell, Crosno, Cross, Denny, Gates, Hayes, Maxwell, McAlister, Myers, Raley, Steiwer, Weatherford, Willis, and Mr. President—17.

Nays—Messrs. Butler, Huston, Looney, Matlock, Smith, Vanderburg, and Veatch—7.

Absent—Messrs. Blackman, Cameron, Dodson, Hirsch, McGinn, and Woodard—6.

So the senate concurred in the adoption of house joint resolution No. 13.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 30,—that certain statutes of the state of Oregon should be repealed.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.



## HOUSE CONCURRENT RESOLUTION NO. 30.

Whereas articles XIV. and XV., amendments to the constitution of the United States reëffirming the immortal principles of Magna Charta and the Declaration of Independence, guarantee to every citizen the right to life, liberty, and the pursuit of happiness, and declare that no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor deny to any person the equal protection of the laws; and whereas certain statutes of the state of Oregon, relating to marriage, discriminate against classes of citizens and deny to them the right to enter into the marriage relation and to establish and enjoy homes; and whereas said statutes not only contravene the provisions of said amendments to the constitution of the United States, but are contrary to the spirit of free institutions; therefore, be it

*Resolved by the House, the Senate concurring,* That all such statutes should be repealed.

On motion of Mr. Cross, house concurrent resolution No. 30 was referred to the committee on judiciary.

By unanimous consent, Mr. Willis introduced senate concurrent resolution No. 22.

## SENATE CONCURRENT RESOLUTION NO. 22.

*Resolved by the Senate, the House concurring,* That a joint convention of the senate and house be held in the house of representatives on this day, at 12 o'clock noon, for the purpose of electing the several commissioners and other officers required to be elected in joint convention by this legislative assembly.

Mr. Willis moved the adoption of the resolution.

Mr. Hirsch moved to amend by striking out the words "12 o'clock noon" and inserting the words "2:30 o'clock P. M."

Mr. Willis accepted the amendment.

The resolution was adopted.

House bill No. 133 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—26.

Nays—None.



Absent—Messrs. Blackman, Matlock, McGinn, and Veatch—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

By unanimous consent, Mr. Willis introduced senate resolution No. 30.

#### SENATE RESOLUTION NO. 30.

*Resolved*, That at the call of the roll upon the assembling of the senate this afternoon, each senator may select any one house bill which has been received from the house, and each such bill so selected shall be finally disposed of in the order of its selection in preference to all other bills.

Mr. Willis moved that the rules be suspended and that senate resolution No. 30 be adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Cameron, Dodson, Hayes, Huston, Maxwell, Steiwer, Willis, and Mr. President—9.

Nays—Messrs. Alley, Beckley, Butler, Cogswell, Cross, Denny, Gates, Looney, Matlock, McAlister, Myers, Raley, Smith, and Weatherford—14.

Absent—Messrs. Blackman, Crosno, Hirsch, McGinn, Veatch, and Woodard—6.

Not voting—Mr. Vanderburg—1.

The senate refused to adopt the resolution.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February —, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 23, 25, 55, 108, 145, 159, and 199.

And the same are herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced he was about to sign senate bills Nos. 23, 25, 55, 108, 145, 159, and 199, and soon thereafter that he had signed them.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 192, with the following amendments.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## AMENDMENT.

Strike out the words "February 1, 1892," in line 2 of section 2, and insert in lieu thereof the words "not later than eighteen months from the time this act becomes a law."

## AMENDMENT.

After the word "Union," insert the word "Crook," in section 1 of the bill.

On motion of Mr. Matlock, the senate concurred in the house amendments to senate bill No. 192.

Senate bill No. 192 was ordered enrolled.

Mr. Cross moved a call of the senate.

The motion prevailed.

The roll was called and those present were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Hayes, Huston, Looney, Matlock, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—23.

Absent—Messrs. Blackman, Dodson, Gates, Hirsch, Maxwell, McGinn, and Raley—7.

Mr. Maxwell excused.

Soon thereafter the sergeant-at-arms appeared within the bar of the senate with the absent members.

On motion of Mr. Huston, further proceedings under the call of the senate were dispensed with.

Mr. Cross moved that no senator be allowed to retire from the room without leave, and that the doorkeeper be stationed at the outside door.

The motion prevailed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 31,—requesting our members in congress to use their influence for the enactment of a law creating cabinet office of secretary of labor, etc.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 31.

*Resolved by the House, the Senate concurring,* That our United States senators and members of congress be hereby requested to use their votes and influence in favor of the enactment of a law creating a cabinet office of secretary of labor, believing that such legislation is just and opportune, and to the best interests of our people; and

*Resolved further,* That a copy of these resolutions be furnished to each senator and congressman from our state.

On motion of Mr. Matlock, the senate concurred in the adoption of the resolution.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint memorial No. 3.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
 Chief clerk.

Senate joint memorial No. 3 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bills Nos. 205 and 209.

And the same are herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bills Nos. 205 and 209 were ordered enrolled.

Mr. Beckley moved that the rules be suspended and that house bill No. 226 be read second time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Butler, Cogswell, Crosno, Gates, Hirsch, Huston, Looney, Matlock, McAlister, Smith, Steiwer, Vanderburg, Veatch, Weatherford, and Mr. President—17.

Nays—Messrs. Alley, Cameron, Cross, Dodson, Hayes, Maxwell, Willis, and Woodard—8.

Absent—Messrs. Blackman, Denny, McGinn, Myers, and Raley—5.

So the senate refused to suspend the rules.

House bill No. 2 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Gates, Hayes, Huston, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Willis, and Mr. President—20.

Nays—Messrs. Beckley, Dodson, Looney, Veatch, Weatherford, and Woodard—6.

Absent—Messrs. Blackman, Hirsch, McGinn, and Raley—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 154 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Gates, Hayes, Hirsch, Looney, McAlister, Myers, Steiwer, Willis, Woodard, and Mr. President—20.

Nays—Messrs. Huston, Smith, Vanderburg, Veatch, and Weatherford—5.

Absent—Messrs. Dodson, Matlock, Maxwell, McGinn, and Raley—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 99 coming on for third reading, was read third time.

Mr. Cogswell asked unanimous consent to strike out section 4.

There being no objection, section 4 was stricken out.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cogswell, Crosno, Cross, Denny, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—24.

Nays—Messrs. Cameron and Veatch—2.

Absent—Messrs. Blackman, Dodson, McGinn, and Raley—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Vanderburg moved that the committee on fishing industries be requested to report at once all the bills now in their committee.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Butler, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, McAlister, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, and Woodard—21.

Nays—Messrs. Alley, Cameron, Willis, and Mr. President—4.

Absent—Messrs. Blackman, Hirsch, Maxwell, McGinn, and Raley—5.

The motion prevailed, and the committee was so instructed.

House bill No. 159 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Butler, Crosno, Cross, Denny, Dodson, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—18.

Nays—Messrs. Alley, Bancroft, Beckley, Cameron, Cogswell, McAlister, Myers, Veatch, and Weatherford—9.

Absent—Messrs. Blackman, Gates, and McGinn—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Messrs. Matlock and Gates were granted leave of absence for a few minutes.

House bill No. 121 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Cogswell, Crosno, Denny, Dodson, Hayes, Hirsch, Huston, Looney, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—21.

Nays—Messrs. Beckley, Butler, Cameron, and Veatch—4.

Absent—Messrs. Blackman, Gates, Matlock, and McGinn—4.

Not voting—Mr. Cross—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 27.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 27 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate's amendments to house bill No. 99.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 101 with the following amendment.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### AMENDMENT.

In section 2, after line 7, printed bill, add the following words: "*provided*, that in cities or incorporated towns of four thousand population, the board of directors shall be authorized to establish and maintain a kindergarten primary school and employ a graduate of a kindergarten training school to teach the same."

Mr. Cross moved to amend by inserting "3,000" in place of "4,000."

On motion of Mr. Weatherford, the bill was referred to the committee on judiciary.

Mr. Alley moved to adjourn.

The motion was lost.

Mr. Cross moved that when the senate adjourns it adjourn to meet at 1 o'clock P. M.

The motion prevailed.

On motion of Mr. Cogswell, the senate adjourned.

O. P. MILLER,  
Chief clerk.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

The senate was called to order at 1 o'clock P. M. by the president.

The roll was called, and the absentees were Messrs. Alley, Huston, and McGinn.

Mr. Steiwer, chairman of the committee on public lands, to whom was referred the communication from Hon. J. N. Dolph, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee on public lands, to whom was referred the communication from Hon. J. N. Dolph under date of January 25, 1893,

addressed to the president of the senate, beg leave to report that they have had the same under consideration, and recommend that the following joint memorial be adopted:—

SENATE JOINT MEMORIAL NO. 4.

Whereas we fully endorse the policy of establishing timber reserves under the act of March 3, 1891, for the maintenance and protection of our great forests and the consequent preservation of our water sources; and whereas the entire crest of the Cascade mountains in Oregon is heavily timbered and contains the sources of our principal rivers and small streams, and upon the preservation of such timber will largely depend our future water supply and the state's general welfare; and whereas it has come to our knowledge that a petition sometime since was addressed to the president asking the withdrawal of the entire crest of the Cascade mountains in Oregon as a timber reserve, and subsequently another petition was sent him praying for the immediate establishment of two portions of said crest, viz., Mt. Hood and Crater Lake, with convenient territory about each, as timber reservations, and further asking that such reservations be enlarged and extended so as to include the said entire crest, as soon as the boundaries of the latter could be ascertained and fixed with due regard to the rights of any settlers or other interests entitled to be heard; and whereas we are in full accord with said petitions, and desire, and the public interests demand, the immediate establishment of said two reservations, and also their enlargement and extension so as to include said entire crest as soon as the latter can safely be accomplished; now, therefore,

*The Legislature of the State of Oregon memorialize the President and urge,—* First, the immediate establishment of two reservations, viz., one of Mt. Hood, to be called Mt. Hood reserve, and the other of Crater Lake, to be called Crater Lake reserve, with such contiguous territory about each as shall seem proper; second, the enlargement and extension of each said reservation so as to include the entire crest of the Cascade mountains in Oregon, with a convenient space on each side thereof, just as soon as the same can be intelligently done after a prompt but careful investigation by the interior department of any vested rights there may be in such territory. And to the above ends, the secretary of state is requested to at once forward a copy hereof to the secretary of the interior, and also a copy each to our senators and representatives in congress.

W. W. STEIWER,  
Chairman.

On motion of Mr. Steiwer, the report was adopted.



Mr. Steiwer moved the adoption of the memorial.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—None.

Absent—Messrs. Gates, Hayes, and McGinn—3.

So the memorial was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has amended senate concurrent resolution No. 22, and adopted the same as amended, as follows:

#### AMENDMENT.

Amend by striking out "2:30 P. M.," and insert in lieu thereof "4:30 P. M."

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

On motion of Mr. Willis, the senate concurred in the house amendment.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 117 and 125, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

House bill No. 3 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Gates, Hirsch, Looney, Maxwell, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—23.

Nays—None.

Absent—Messrs. Alley, Dodson, Hayes, Huston, Matlock, McAlister, and Weatherford—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house joint resolution No. 10, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the resolution be concurred in by the senate.

O. N. DENNY,  
Chairman.

Mr. Raley moved that the senate concur in the adoption of house joint resolution No. 10.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—28.

Nays—Mr. Veatch—1.

Absent—Mr. Myers—1.

So the senate concurred in the adoption of house joint resolution No. 10.

Mr. McGinn moved that house bill No. 109 be now taken from the table.

The motion prevailed.

House bill 109 was read third time.

Mr. Bancroft moved that the bill be referred to the committee on federal relations.

Messrs. McGinn and Vanderburg called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Butler, Cameron, Cogswell, Denny, Dodson, Hayes, Hirsch, Looney, Matlock, Myers, and Weatherford—13.

Nays—Messrs. Beckley, Blackman, Crosno, Cross, Gates, Huston, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—17.

The senate refused to re-refer the bill.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Cameron, Cross, Denny, Gates, Hirsch, Huston, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Willis, and Woodard—15.

Nays—Messrs. Alley, Bancroft, Butler, Cogswell, Crosno, Dodson, Hayes, Looney, Maxwell, Myers, Veatch, Weatherford, and Mr. President—13.

Absent—Messrs. Blackman and Matlock—2.

So the bill failed to pass.

Mr. Alley moved that the vote by which house bill No. 175 failed to pass to third reading be reconsidered.

Messrs. Veatch and McAlister called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McGinn, Steiwer, Willis, and Mr. President—16.

Nays—Messrs. Beckley, Blackman, Butler, Cogswell, Huston, Matlock, McAlister, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford, and Woodard—14.

So the vote by which house bill No. 175 failed to pass to third reading was reconsidered.

House bill No. 175 was ordered to third reading tomorrow.

Mr. Alley, chairman of the committee on fishing industries, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President :*

Your committee on fishing industries, to whom was referred house bill No. 10, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

B. F. ALLEY,  
Chairman.

Mr. Dodson moved that the rules be suspended and that house bill No. 10 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, and Woodard—23.

Nays—Messrs. Alley, Denny, McGinn, Willis, and Mr. President—5.

Absent—Messrs. Maxwell and Myers—2.

So the rules were suspended and house bill No. 10 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Hirsch, Huston, Looney, Matlock, McAlister, Raley, Smith, Steiwer, Vanderburg, Veatch, and Woodard—22.

Nays—Messrs. Alley, Gates, Maxwell, McGinn, Willis, and Mr. President—6.

Absent—Messrs. Myers and Weatherford—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 296 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Blackman, Butler, Cogswell, Crosno, Dodson,

Hirsch, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Weatherford, Willis, and Woodard—18.

Nays—Messrs. Cameron, Cross, Denny, Gates, Hayes, Looney, Vanderburg, Veatch, and Mr. President—9.

Absent—Mr. Huston—1.

Not voting—Messrs. Alley and Beckley—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Messrs. Alley, Blackman, and Woodard were excused for a few minutes.

House bill No. 180 coming on for third reading, was read third time.

On motion of Mr. Weatherford, the bill was referred to the committee on federal relations for amendment.

House bill No. 179 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Crosno, Cross, Dodson, Gates, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Willis, Woodard, and Mr. President—20.

Nays—Messrs. Butler, Cameron, Hirsch, Veatch, and Weatherford—5.

Absent—Messrs. Alley, Denny, Hayes, and Vanderburg—4.

Not voting—Mr. Cogswell—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 64 coming on for third reading, was read third time.

By unanimous consent, Mr. Cogswell submitted the following amendment:—

#### AMENDMENT.

Add to section 7 as follows: *provided*, that this act shall not apply to any mixture or compound which may be now or at any time hereafter known as articles of food under their own distinctive names, or in the case of articles branded or tagged so as to plainly indicate that they are mixtures compounded or blended.

There being no objection, the amendment was adopted.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—26.

Nays—Messrs. Gates and Veatch—2.

Absent—Messrs. Alley and Denny—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The president called Mr. Cross to the chair.

On motion of Mr. Bancroft, house bill No. 283 was taken from table, and having been read third time, the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Willis, Woodard, and Mr. President—25.

Nays—Messrs. Vanderburg and Veatch—2.

Absent—Messrs. McGinn and Weatherford—2.

Not voting—Mr. Huston—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The president returns to the chair.

On motion of Mr. Looney, the courtesies of the senate were extended to Judge Peebles, and he was invited to a seat within the bar of the senate.

Mr. Cogswell, chairman of the committee on federal relations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee on federal relations, to whom was referred house bill No. 180, with instructions to amend, beg leave to report that they have had the same under consideration, and respectfully report it back to the senate with the following amendment:—

#### AMENDMENT.

Amend by adding at the end of section 14, the following provision:

*Provided, however, that the provisions of this act, nor any part thereof, shall apply to the counties of Crook, Klamath, Lake, Lane, or Linn.*

C. A. COGSWELL,  
Chairman.

On motion of Mr. Cross, the report was adopted.

Senate bill No. 180 having been read a third time, the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Gates, Hayes, Hirsch, Looney, Myers, Raley, Smith, Weatherford, and Mr. President—18.

Nays—Messrs. Huston, Matlock, Maxwell, McAlister, Steiwer, Vanderburg, Veatch, Willis, and Woodard—9.

Absent—Messrs. Beckley, Dodson, and McGinn—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 27, 205, and 209, and senate joint memorial No. 3, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

Messrs. Myers and Cogswell were excused for a few moments.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 142.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 142 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 37.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
 Chief clerk.

Senate bill No. 37 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate's amendments to house bill No. 3, also to house joint resolution No. 13.

D. C. SHERMAN,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 117 and 125.

And the same are herewith returned to you for your signature.

D. C. SHERMAN,  
 Chief clerk.

The president announced he was about to sign senate bills Nos. 117 and 125, and soon thereafter that he had signed them.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 February 17, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill



No. 101, and house amendment, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not concur in the amendment.

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

On motion of Mr. Weatherford, the senate refused to concur in the house amendment to senate bill No. 101.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 24, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

#### AMENDMENT.

In section 3, line 4 of original bill, after the words "strayed or stolen," insert the following words: "and shall only apply to such interest as the person employing such herder may own in such herd of sheep so herded by such herder so employed."

O. N. DENNY,  
Chairman.

On motion of Mr. Denny, the report was adopted.

House bill No. 43 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—23.

Nays—Messrs. Alley, Beckley, and Veatch—3.

Absent—Messrs. Bancroft, Gates, McGinn, and Myers—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Messrs. McGinn and Bancroft were excused for a few moments. Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 128, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 128 was ordered to third reading.

House bill No. 140 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Blackman, Butler, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—Messrs. Beckley, Cogswell, and Hayes—3.

Absent—Messrs. Bancroft and McGinn—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 343 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Crosno, Denny, Dodson, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Willis, Woodard, and Mr. President—22.

Nays—Messrs. Beckley, Butler, Cogswell, Cross, Gates, Hayes, Veatch, and Weatherford—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

By unanimous consent, house bill No. 335 was read second time.

Mr. Cameron moved that the rules be suspended and that house bill No. 335 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Absent—Messrs. Bancroft and Looney—2.

So the rules were suspended and house bill No. 335 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Cross, Dodson, Gates, Hirsch, Huston, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—26.

Nays—None.

Absent—Messrs. Cogswell, Denny, Hayes, and Looney—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 318 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Dodson, Gates, Hirsch, Huston, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—None.

Absent—Messrs. Denny, Hayes, and Looney—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Messrs. McGinn, Cogswell, Hirsch, and Blackman were excused for a short time.

House bill No. 376 coming on for third reading, was read third time.

Mr. Vanderburg moved a call of the senate.

The motion prevailed.

The roll was called and those present were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Crosno, Cross, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—25.

Absent—Messrs. Blackman, Cogswell, Denny, Hirsch, and McGinn—5.

On motion of Mr. Vanderburg, further proceedings under the call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Nays—None.

Absent—Mr. Hirsch—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 304 coming on for third reading, was read third time.

On motion of Mr. Willis, house bill No. 304 was referred to a special committee consisting of the senators from Multnomah county.

Mr. Blackman asked unanimous consent to take up house bill No. 124.

There being no objection, house bill No. 124 was taken up and read second time.

Mr. Blackman moved that the rules be suspended and that house bill No. 124 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—28.

Nays—Mr. Cross—1.

Absent—Mr. Veatch—1.

So the rules were suspended and house bill No. 124 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—29.

Nays—None.

Absent—Mr. Hirsch—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Huston asked unanimous consent to take up house bill No. 379.

There being no objection, the same was taken up.

House bill No. 379 was read second time.

Mr. Huston moved that the rules be suspended and that house bill No. 379 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—27.

Absent—Messrs. Hirsch, Matlock, and Weatherford—3.

So the rules were suspended and house bill No. 379 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Huston, Looney, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Willis, Woodard, and Mr. President—27.

Nays—Mr. Weatherford—1.

Absent—Messrs. Hirsch and Matlock—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 36 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—28.

Nays—None.

Absent—Messrs. Alley and McGinn—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee on judiciary, to whom was referred house concurrent resolution No. 29, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

O. N. DENNY,  
Chairman.

Mr. Cross moved that further consideration of house concurrent resolution No. 29 be indefinitely postponed.

Messrs. Cross and Myers called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Cameron, Cross, Denny, Gates, Huston, Looney, McAlister, Steiwer, Vanderburg, Veatch, and Woodard—12.

Nays—Messrs. Bancroft, Blackman, Butler, Cogswell, Crosno, Dodson, Hayes, Hirsch, Matlock, Maxwell, Myers, Raley, Smith, Weatherford, Willis, and Mr. President—16.

Absent—Messrs. Alley and McGinn—2.

The motion to indefinitely postpone was lost.

Mr. Vanderburg submitted the following amendment:—

#### AMENDMENT.

*Be it further provided*, that inasmuch as there has been already appropriated out of the state funds two million one hundred and fifty thousand dollars, the remainder of the taxable property is hereby appropriated to carry out the provisions of this act.

Mr. Vanderburg moved the adoption of the amendment.

The senate refused to adopt.

Mr. Myers moved that the senate concur in the adoption of the resolution.

Messrs. Cross and Myers called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Blackman, Crosno, Hayes, Hirsch, Matlock, Maxwell, McAlister, Myers, Raley, Weatherford, Willis, and Woodward—13.

Nays—Messrs. Beckley, Butler, Cameron, Cogswell, Cross, Denny, Dodson, Gates, Huston, Looney, Smith, Steiwer, Vanderburg, Veatch, and Mr. President—15.

Absent—Messrs. Alley and McGinn—2.

The senate refused to concur.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 103, 2, 92, 96, 40, 159, and 86.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced he was about to sign house bills Nos. 103, 2, 92, 96, 40, 159, and 86, and soon thereafter that he had signed them.

Mr. Myers asked unanimous consent to take up house bill No. 17.

There being no objection, the same was taken up.

House bill No. 17 was read second time.

Mr. Myers moved that the rules be suspended and that house bill No. 17 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, Myers, Raley, Steiwer, Weatherford, and Mr. President—20.

Nays—Messrs. Cross, Huston, Vanderburg, Willis, and Woodward—5.

Absent—Messrs. Alley, McAlister, McGinn, Smith, and Veatch—5.

So the rules were suspended and house bill No. 17 was read third time and placed on final passage.

Mr. Dodson, chairman of the senate committee appointed under house concurrent resolution No. 24, to visit and report on the condition of the soda spring at Sodaville, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1893. }

*To the Honorable Legislative Assembly of the State of Oregon:* We, your committee, appointed under house concurrent resolution No. 24, beg leave to report the following:—

We were unable to obtain any chemical analysis of the water, and therefore cannot positively state its medicinal qualities, but from such information as we could obtain from the physicians and residents of the town of Sodaville, we believe that the water of said springs is highly beneficial as a medicinal water for certain neurotic conditions of the human system.

The springs and land surrounding them contain about one acre, and from such data as were obtainable from observation and otherwise, the committee would suggest that some improvements would materially increase the value of said springs, both in the way of making them more attractive to visitors, and also in the way of affording better protection to the same. We would, therefore, recommend that a neat fence be built around the same, also a tank to enclose the springs, in order that the waters of said springs may be kept pure and healthful.

O. M. DODSON,  
Chairman.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cogswell, Denny, Dodson, Hirsch, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Weatherford, and Woodard—15.

Nays—Messrs. Beckley, Butler, Cameron, Crosno, Cross, Gates, Hayes, Huston, Looney, Steiwer, Vanderburg, Veatch, Willis, and Mr. President—14.

Absent—Mr. Smith—1.

So the bill failed to pass.

Mr. Gates asked unanimous consent to take up house bill No. 378.

Consent was granted.

House bill No. 378 was read second time.



On motion of Mr. Gates, the bill was referred to the committee on military affairs.

Mr. Bancroft asked unanimous consent to take up house bill No. 303.

Consent was granted.

House bill No. 303 was read second time.

On motion of Mr. Bancroft, the bill was referred to the committee on military affairs.

Mr. McGinn moved to adjourn.

Lost.

Mr. Woodard was granted leave of absence for a few moments.

Mr. McAlister asked unanimous consent to take up house bill No. 364.

Consent was granted.

House bill No. 364 was read second time.

On motion of Mr. McAlister, the bill was referred to the committee on claims.

Mr. Denny moved that when the senate adjourns it adjourn to meet at 7:30 P. M.

The motion prevailed.

House bill No. 157 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Blackman, Crosno, Hirsch, and Steiwer—5.

Nays—Messrs. Alley, Beckley, Butler, Cameron, Cross, Hayes, Huston, Looney, Matlock, McAlister, McGinn, Myers, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—18.

Absent—Messrs. Cogswell, Denny, Dodson, Gates, Maxwell, Raley, and Smith—7.

So the bill failed to pass.

House bill No. 331 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Gates, Hayes, Hirsch, Huston, Looney, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—24.

Nays—Messrs. Dodson and McAlister—2.

Absent—Messrs. Blackman, Matlock, Maxwell, and Raley—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 110 coming on for third reading, was read third time.

On motion of Mr. Woodard, house bill No. 110 was laid on the table.

The president called Mr. Dodson to the chair.

House bill No. 62 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cogswell, Crosno, Cross, Denny, Hayes, Smith, Steiwer, Vanderburg, Willis, and Woodard—13.

Nays—Messrs. Beckley, Butler, Cameron, Dodson, Gates, Huston, Looney, McAlister, Myers, Raley, Veatch, Weatherford, and Mr. President—13.

Absent—Messrs. Hirsch, Matlock, Maxwell, and McGinn—4.

So the bill failed to pass.

Mr. Alley moved to adjourn.

Lost.

House bill No. 172 coming on for third reading, was read third time.

Mr. Cross moved to indefinitely postpone further consideration of house bill No. 172.

On motion of Mr. Cogswell, house bill No. 172 was laid on the table.

On motion of Mr. Willis, house bill No. 110 was taken from the table.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Cross, Dodson, Gates, Hayes, Huston, McAlister, Myers, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—14.

Nays—Messrs. Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Looney, Matlock, Maxwell, Raley, Smith, Steiwer, and Veatch—13.

Absent—Messrs. Denny, Hirsch, and McGinn—3.

So the bill failed to pass.

House bill No. 332 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, Myers, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Hayes, McGinn, Raley, and Veatch—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The hour having arrived for the joint convention, the senate repaired to the hall of the house of representatives.

### JOINT CONVENTION.

The joint convention was called to order by the president of the senate.

The chief clerk of the senate called the roll of the senate.

Those present were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—30.

The chief clerk of the house called the roll of the house.

Those present were:

Messrs. Baughman, Belknap, Belts, Bishop, Blevens, Brown of Douglas, Brown of Morrow, Campbell, Chandler, Coon, Cooper, Cornelius, Currin, Daly, Day, Duncan, Durham, Elmore, Ford, Geer of Clackamas, Geer of Marion, Gill, Goodrich, Gowan, Gullixson, Hobbs, Houck, Inman, Jeffreys, King, Lamson, Lawton, Layman, Maloney, Manley, Mays, McEwen, Merrill, Merritt, Miller, Myer, Myers, Nichols, Nickell, Northup, Ormsby, Paxton, Russell, Sheridan, Staats, Stone, Toner, Trullinger, Upton, Wilkins, Wilkinson, Wright of Marion, Wright of Union, and Mr. Speaker—59.

Absent—Mr. Buxton—1.

### RAILROAD COMMISSIONERS.

The president announced the first order of business being the nomination of three railroad commissioners.

Mr. Gates placed in nomination Mr. H. B. Compson of Klamath

county, Mr. I. A. Macrum of Multnomah county, and Mr. J. B. Eddy of Umatilla county.

Mr. Weatherford placed in nomination Mr. Henry Klippel of Jackson county, Mr. James N. Wheeler of Multnomah county, and Mr. H. R. Sibley of Umatilla county.

Mr. McEwan placed in nomination Mr. R. M. Steel of Union county, Mr. W. L. Sellers of Umatilla county, and Mr. G. W. Colvig of Douglas county.

There being no further nominations, the nominations were declared closed.

The clerk called the roll and the vote was:

<i>Names.</i>	<i>H. B. Compton</i>	<i>I. A. Macrum</i>	<i>J. B. Eddy</i>	<i>Henry Klippel</i>	<i>James N. Wheeler</i>	<i>H. R. Sibley</i>	<i>R. M. Steel</i>	<i>W. L. Sellers</i>	<i>George W. Colvig</i>	<i>Absent</i>	<i>Not voting</i>
Alley	1	1	1								
Bancroft	1	1	1								
Baughman	1	1	1								
Beckley				1	1	1					
Belknap	1	1	1								
Belts	1	1	1								
Bishop	1	1	1								
Blackman				1	1	1					
Blevens				1	1	1					
Brown of Douglas										1	
Brown of Morrow	1	1	1								
Butler				1	1	1					
Buxton										1	
Cameron	1	1	1								
Campbell				1	1	1					
Chandler	1	1	1								
Cogswell	1			1	1						
Coon	1	1	1								
Cooper											1
Cornelius	1	1	1								
Crosno	1	1	1								
Cross	1	1	1								
Currin				1	1	1					
Daly				1	1	1					
Day					1			1	1		
Denny	1	1	1								
Dodson	1	1	1								
Duncan	1	1	1								
Durham	1	1	1								
Elmore				1	1	1					
Ford	1	1	1								
Gates	1	1	1								
Geer of Clackamas	1	1	1								
Geer of Marion	1	1	1								
Gill	1	1	1								
Goodrich	1	1	1								
Gowan	1	1	1								
Gullixson	1	1	1								
Hayes	1	1	1								
Hirsch	1	1	1								
Hobbs	1	1	1								
Houck				1	1	1					
Huston				1	1	1					
Inman				1	1	1					

— **Control #0000.**

[illegible]

I. A. Macrum, 52; Mr. James N. Wheeler, 34; 4; Mr. W. L. Sellers, 4;

**D.** B. Compeon, Mr. I. A. received a majority of all railroad commissioners

## FISH COMMISSIONERS.

The next order of business being the election of five fish commissioners, Mr. Gates placed in nomination Mr. George T. Myers, Mr. George Giusten, Mr. Allan Parker, Mr. N. J. Riley, and Mr. Joe Paquet.

There being no further nominations, the nominations were declared closed.

Mr. Ford moved that the clerk be instructed to cast the ballot for the five commissioners nominated.

The motion prevailed, and the clerk cast the ballot for Mr. George T. Myers, Mr. Allan Parker, Mr. George Guisten, Mr. W. J. Riley, and Mr. Joseph Paquet.

The president announced that Mr. George T. Myers, Mr. Allan Parker, Mr. George Giusten, Mr. W. J. Riley, and Mr. Joseph Paquet having received a majority of all the votes cast, were declared duly elected fish commissioners for the state of Oregon for the term of two years.

## PILOT COMMISSIONERS.

The next order of business being the election of three pilot commissioners, Mr. Gates placed in nomination Mr. J. A. Brown of Multnomah county, Mr. John Fox of Clatsop county, and Mr. B. F. Packard of Clatsop county.

Mr. ——— placed in nomination Mr. Hiram Brown of Clatsop county.

There being no further nominations, the nominations were declared closed.

The clerk called the roll and the vote was:

<i>Names.</i>	<i>J. A. Brown</i>	<i>John Fox</i>	<i>B. F. Packard</i>	<i>Hiram Brown</i>	<i>Absent</i>	<i>F. G. Day</i>	<i>J. H. Upton</i>
Alley	1	1	1				
Bancroft	1	1	1				
Baughman	1	1	1				
Beckley				1			
Belknap	1	1	1				
Belts	1	1	1				
Bishop	1	1	1				
Blackman				1			
Blevens				1			
Brown of Douglas					1		
Brown of Morrow	1	1	1				
Butler				1			
Buxton					1		
Cameron	1	1	1				

## VOTE FOR PILOT COMMISSIONERS—CONTINUED.

<i>Names.</i>	<i>J. A. Brown</i>	<i>John Fox</i>	<i>B. F. Packard</i>	<i>Heram Brown</i>	<i>Absent</i>	<i>F. G. Day</i>	<i>J. H. Upton</i>
Campbell				1			
Chandler	1	1	1	1			
Cogswell							
Coon	1	1	1				
Cooper					1		
Cornelius	1	1	1				
Crosno	1	1	1				
Cross	1	1	1				
Curriu				1			
Daly				1			
Day				1			
Denny	1	1	1				
Dodson	1	1	1				
Duncan	1	1	1				
Durham	1	1	1				
Elmore				1			
Ford	1	1	1				
Gates	1	1	1				
Geer of Clackamas	1	1	1				
Geer of Marion	1	1	1				
Gill	1	1	1				
Goodrich	1	1	1				
Gowan	1	1	1				
Gullixson	1	1	1				
Hayes	1	1	1				
Hirsch	1	1	1				
Hobbs	1	1	1				
Houck				1			
Huston				1			
Inman				1			
Jeffreys				1			
King				1			
Lamson	1	1	1				
Lawton	1	1	1				
Layman	1	1	1				
Looney	1	1	1				
Maloney				1			
Manley	1	1	1				
Matlock				1			
Mays	1	1	1				
Maxwell	1	1	1				
McAlister				1			
McEwen				1			
McGinn	1	1	1				
Merrill	1	1	1				
Merritt					1		
Miller				1			
Myer				1			
Myers of Linn				1			
Myers of Multnomah	1	1	1				
Nichols					1		
Nickell				1			
Northup	1	1	1				
Ormsby	1	1	1				
Paxton					1		
Raley				1			
Russell	1	1	1				
Sheridan				1			
Smith				1			
Staats				1			
Steiwer	1	1	1				
Stone				1			
Toner				1			
Trullinger	1	1	1				

VOTE FOR PILOT COMMISSIONERS — CONCLUDED.

<i>Names.</i>	<i>J. A. Brown</i>	<i>John Fox</i>	<i>B. F. Packard</i>	<i>Hiram Brown</i>	<i>Absent</i>	<i>F. G. Day</i>	<i>J. H. Upton</i>
Upton				1			
Vanderburg				1		1	1
Veatch				1			
Weatherford				1			
Wilkins	1	1	1				
Wilkinson				1			
Willis	1	1	1				
Woodard	1	1	1				
Wright of Marion	1	1	1				
Wright of Union	1	1	1				
Mr. Speaker	1	1	1				
Mr. President	1	1	1				
Total	50	50	50	34	6	1	1

Mr. J. A. Brown received 50 votes; Mr. John Fox, 50; Mr. B. F. Packard, 50; Mr. Hiram Brown, 34; Mr. J. H. Upton, 1; Mr. F. G. Day, 1; absent, 6.

The president announced that Mr. J. A. Brown, Mr. John Fox, and Mr. B. F. Packard having received a majority of all the votes cast, were declared duly elected pilot commissioners for the state of Oregon for the term of two years.

FOOD COMMISSIONER.

The next order of business being the election of a state food commissioner, Mr. Gates placed in nomination Mr. Charles Holman of Clackamas county.

Mr. Weatherford placed in nomination Mr. R. M. Powers of Umatilla county.

There being no further nominations, the nominations were declared closed.

The clerk called the roll and the vote was:

<i>Names.</i>	<i>Charles Holman</i>	<i>R. M. Powers</i>	<i>Absent</i>	<i>Not voting</i>
Alley	1			
Bancroft	1			
Baughman	1			



## VOTE FOR FOOD COMMISSIONER — CONTINUED.

Names.	Charles Holman	R. M. Powers	Absent	Not voting
Beckley		1		
Belknap	1			
Belts	1			
Bishop	1			
Blackman		1		
Blevens	1			
Brown of Douglas	1			
Brown of Morrow	1			
Butler			1	
Buxton			1	
Cameron	1			
Campbell		1		
Chandler	1			
Cogswell		1		
Coon	1			
Cooper	1			
Cornelius	1			
Crosno	1			
Cross	1			
Currin	1			
Daly			1	
Day	1			
Denny	1			
Dodson	1			
Duncan	1			
Durham	1			
Elmore		1		
Ford				1
Gates	1			
Geer of Clackamas	1			
Geer of Marion	1			
Gill	1			
Goodrich	1			
Gowan	1			
Gullixson	1			
Hayes	1			
Hirsch	1			
Hobbs	1			
Houck		1		
Huston			1	
Inman		1		
Jeffreys			1	
King		1		
Lamson	1			
Lawton	1			
Layman	1			
Looney	1			
Maloney	1			
Manley		1		
Matlock		1		
Mays	1			
Maxwell	1			
McAlister		1		
McEwen		1		
McGinn	1			
Merrill	1			
Merritt			1	
Miller		1		
Myer		1		
Myers of Linn		1		
Myers of Multnomah	1			
Nichols			1	

## VOTE FOR FOOD COMMISSIONER—CONCLUDED.

<i>Names.</i>	<i>Charles Holman</i>	<i>R. M. Powers</i>	<i>Absent</i>	<i>Not voting</i>
Nickell		1		
Northup	1			
Ormsby	1			
Paxton	1			
Raley			1	
Russell	1			
Sheridan		1		
Smith		1		
Staats		1		
Steilwer	1			
Stone		1		
Toner		1		
Trullinger	1			
Upton			1	
Vanderburg	1			
Veatch		1		
Weatherford		1		
Wilkins			1	
Wilkinson		1		
Willis	1			
Woodard	1			
Wright of Marion	1			
Wright of Union	1			
Mr. Speaker	1			
Mr. President	1			
Total	55	24	10	1

Mr. Charles Holman received 55 votes; Mr. R. M. Powers, 24; not voting, 1; absent, 10.

The president announced that Mr. Charles Holman having received a majority of all the votes cast, was declared duly elected state food commissioner for the state of Oregon for the ensuing two years.

## STATE LIBRARIAN.

The next order of business being the election of a state librarian, Mr. Weatherford arose and endorsed the present incumbent, Mr. J. B. Putnam, for state librarian.

Mr. Gates arose and stated that Mr. Putnam was the unanimous choice of the republicans for that position.

By unanimous consent, the rules were suspended and the clerk was instructed to cast the ballot for Mr. J. B. Putnam for state librarian.

The clerk cast the ballot, and the president announced that Mr. J. B. Putnam having received all the votes cast, was declared duly elected state librarian for the term of two years.

GAME AND FISH WARDEN.

The next order of business being the election of game and fish warden, Mr. Gates placed in nomination Mr. Ferry Henshaw of Multnomah county.

Mr. Trullinger placed in nomination Mr. J. W. Welch.

There being no further nominations, the nominations were declared closed.

The clerk called the roll and the vote was:

<i>Names.</i>	<i>Ferry Henshaw</i>	<i>J. W. Welch</i>	<i>Absent</i>	<i>Not voting</i>
Alley	1			
Bancroft	1			
Baughman		1		
Beckley		1		
Belknap	1			
Belts		1		
Bishop	1			
Blackman		1		
Blevens		1		
Brown of Douglas			1	
Brown of Morrow	1			
Butler			1	
Buxton			1	
Cameron	1			
Campbell		1		
Chandler	1			
Cogswell			1	
Coon	1			
Cooper			1	
Cornelius	1			
Crosno	1			
Cross	1			
Currin		1		
Daly		1		
Day		1		
Denny	1			
Dodson	1			
Duncan	1			
Durham	1			
Elmore		1		
Ford				1
Gates	1			
Geer of Clackamas			1	
Geer of Marion	1			
Gill	1			
Goodrich	1			
Gowan	1			
Gullixson	1			
Hayes	1			
Hirsch	1			
Hobbs			1	
Houck		1		
Huston			1	
Inman			1	
Jeffreys		1		
King		1		
Lamson	1			
Lawton	1			

VOTE FOR GAME AND FISH WARDEN — CONCLUDED.

<i>Names.</i>	<i>Ferry Henshaw</i>	<i>J. W. Welch</i>	<i>Absent</i>	<i>Not voting</i>
Layman	1			
Looney	1			
Maloney	1			
Manley	1			
Matlock		1		
Mays	1			
Maxwell	1			
McAlister			1	
McEwen		1		
McGinn	1			
Merrill	1			
Merritt			1	
Miller		1		
Myer		1		
Myers of Linn		1		
Myers of Multnomah	1			
Nichols			1	
Nickell		1		
Northup	1			
Ormsby	1			
Paxton	1			
Raley			1	
Russell	1			
Sheridan		1		
Smith		1		
Staats		1		
Steiwer	1			
Stone		1		
Toner		1		
Trullinger		1		
Upton		1		
Vanderburg		1		
Veatch		1		
Weatherford		1		
Wilkins			1	
Wilkinson			1	
Willis	1			
Woodard	1			
Wright of Marion	1			
Wright of Union	1			
Mr. Speaker	1			
Mr. President	1			
Totals	45	29	15	1

Mr. Ferry Henshaw received 45 votes; Mr. J. W. Welch, 29; not voting, 1; absent, 15.

The president announced that Mr. Ferry Henshaw having received a majority of all the votes cast, was declared duly elected game and fish warden for the ensuing two years.

BOATMAN.

The next order of business being the election of a boatman at Astoria, Mr. Gates placed in nomination Mr. E. F. Bradford of Astoria.

Mr. Weatherford placed in nomination Mr. D. Currin.

There being no further nominations, the nominations were declared closed.

The clerk called the roll and the vote was:

<i>Names.</i>	<i>E. F. Bradford</i>	<i>D. Currin</i>	<i>Absent</i>
Alley	1		
Bancroft	1		
Baughman	1		
Beckley		1	
Belknap	1		
Belts	1		
Bishop	1		
Blackman		1	
Blevens		1	
Brown of Douglas			1
Brown of Morrow	1		
Butler			1
Buxton			1
Cameron	1		
Campbell		1	
Chandler	1		
Cogswell		1	
Coon	1		
Cooper	1		
Cornelius	1		
Crosno	1		
Cross	1		
Currin		1	
Daly		1	
Day		1	
Denny	1		
Dodson	1		
Duncan			1
Durham	1		
Elmore		1	
Ford			1
Gates	1		
Geer of Clackamas			1
Geer of Marion			1
Gill	1		
Goodrich	1		
Gowan	1		
Gullixson	1		
Hayes	1		
Hirsch	1		
Hobbs	1		
Houck		1	
Huston			1
Inman		1	
Jeffreys			1
King		1	
Lamson	1		
Lawton	1		
Layman	1		
Looney	1		
Maloney		1	
Manley	1		
Matlock		1	
Mays	1		
Maxwell	1		
McAlister			1

VOTE FOR BOATMAN—CONCLUDED.

<i>Names.</i>	<i>E. F. Bradford</i>	<i>D. Currin</i>	<i>Absent</i>
McEwen		1	
McGinn	1		
Merrill	1		
Merritt			1
Miller		1	
Myer		1	
Myers of Linn		1	
Myers of Multnomah			1
Nichols			1
Nickell		1	
Northup	1		
Ormsby	1		
Paxton	1		
Raley			1
Russell	1		
Sheridan		1	
Smith		1	
Staats		1	
Steiwer	1		
Stone		1	
Toner		1	
Trullinger		1	
Upton		1	
Vanderburg		1	
Veatch		1	
Weatherford		1	
Wilkins			1
Wilkinson			1
Willis	1		
Woodard			1
Wright of Marion	1		
Wright of Union	1		
Mr. Speaker	1		
Mr. President	1		
Total	44	29	17

Mr. E. F. Bradford received 44 votes; Mr. D. Currin, 29; absent, 17.

The president announced that Mr. E. F. Bradford having received a majority of all the votes cast, was declared duly elected boatman at Astoria for the term of two years.

On motion of Mr. Gates, the joint convention dissolved.

IN THE SENATE.

On motion of Mr. Veatch, the senate adjourned.

O. P. MILLER,  
Chief clerk.

## EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

The senate was called to order at 7:30 o'clock P. M. by the president.

The roll was called, and the absentees were Messrs. Denny, Maxwell, and Weatherford.

Mr. McGinn, chairman of the committee on claims, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee on claims, to whom was referred house bill No. 364, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

H. E. MCGINN,  
Chairman.

Mr. Steiwer moved that the rules be suspended and that house bill No. 364 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Cameron, Crosno, Cross, Dodson, Gates, Hayes, Hirsch, Huston, Looney, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Veatch, Weatherford, Willis, Woodard, and Mr. President—24.

Absent—Messrs. Butler, Cogswell, Denny, Matlock, Maxwell, and Raley—6.

So the rules were suspended and house bill No. 364 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Looney, Matlock, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Weatherford, Woodard, and Mr. President—23.

Nays—Messrs. Beckley, Hayes, Veatch, and Willis—4.

Absent—Messrs. Huston, Maxwell, and Vanderburg—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Crosno, chairman of the joint committee appointed to investigate the reform school and school for the blind, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1893. }

*To the Honorable the Members of the Senate and House of Representatives of the State of Oregon—*GENTLEMEN: We, the undersigned members of your joint committee, to whom was assigned the duties of visiting the state reform school and the state school for the blind, and examining the reports and books of the same; the reports and recommendations made by the state board of education relative to the same; the recommendations made by the state superintendent of public instruction in the tenth biennial report; the series of record books and blanks prepared for the use of the public schools, and other books of record in the department of public instruction, beg leave to report as follows:—

#### STATE REFORM SCHOOL.

We made a pleasant visit to this school and inspected all departments of the same.

#### BENEFITS OF THE SCHOOL.

The question may be asked as to the results of the school and what proportion of the boys committed may be benefited by the discipline and instruction of the institution. According to the statistics of reform schools in other states, a large percentage of those committed to the school are quite destitute at the time of their commitment, either of a knowledge of books or of any useful labor; and there are obvious reasons for this, as for the most part boys sent to the reform school are from cities and towns where they have become demoralized, incorrigible, and therefore unmanageable at home or at school. The results of other schools show that most of the boys sent to a reformatory gain a sufficient amount of book learning to enable them to transact the ordinary business of life. Necessarily only the worst boys, as a rule, are sent to the reform schools; such schools are not intended for good boys, and, as a rule,



very few good boys are sent to such institutions. There is no question as to the utility of such a school, as in such places the bad boys are under constant supervision, a curb is placed upon the tongue given to profanity and vulgarity, and all reading matter of an improper character is excluded. Every effort is made to reform evil and encourage what is right.

#### INDUSTRIAL TRAINING.

It is the intention of the board of trustees to establish workshops for the boys as soon as the same may be practicable. So far, the boys have been taught tailoring and shoemaking to some extent; also some farm and garden work, and this, in addition to the work they do in the laundry, kitchen, dining-room, sleeping-rooms, etc., and as we understand, the major portion of the work inside the house is done by the boys under proper supervision. It necessarily follows that the farm work and garden work will be largely increased as the school becomes older and better organized. Regularly established industrial training is a much needed department, the necessity for which grows more apparent every day, a department that would add great efficiency to the school and do much towards dispelling bad citizenship, the bane of every state. All persons must agree that one of the means of a reform school, and one of the chief means at that, is to teach industry. Where industry takes the place of idleness, the mind is so occupied that there is little time for vicious thoughts and actions. The boys are impressed with the great and wholesome truth that it is manly to labor, that it is manly to be self sustaining, that it is manly to be independent. The principle of industry cannot be fully taught or demonstrated without means—diversified means—and opportunities to make them skilled workmen while in school.

The boy who has taken a course in an industrial department, will, when he is discharged, become a useful citizen and a skilled mechanic at good living wages. The present facilities of the school afford no such opportunities. As a rule, and for obvious reasons, it follows that boys who have been raised in idleness and mischief in our towns and cities, and who have been sent to reform schools, will not take kindly to farming or gardening, but will more readily learn trades. We should remember that the principal object of a state reform school is to reform the boys sent to it. When this is done, and the boys have been given a good common school education, together with the opportunity for learning a good trade, they have, as a rule, prepared themselves for a start in life. We, therefore, most heartily recommend the plan proposed by the board of trustees for establishing a regular industrial training department.

## MILITARY TRAINING.

It is the expectation of the authorities of the school to introduce some military training, and this may become a valuable aid, inculcating habits of obedience and securing for the pupils a manly carriage and deportment.

## LIBRARY.

A library should be established and the boys supplied with interesting and instructive books. We understand that some books have already been purchased and others have been donated for the use of the inmates.

## SANITARY CONDITIONS.

The sanitary condition of the school is good. Systematic living, regular hours for meals, sleep, recreation, etc., all conduce to good health. The facilities for bathing will necessarily be extended when new buildings are erected. According to the report of the trustees of the school, the demands upon this institution have been great from the very beginning. The school has been crowded beyond its utmost capacity since October 1, 1892, so much so, that for the health and comfort of the officers, employés, and inmates, the board of trustees were compelled to issue an order to all proper officers in this state notifying them that no more boys could be received and provided for until additional accommodations were provided by the legislature. In the opinion of the committee, the work that the state has here undertaken to reform the vicious and youthful classes of our state is one of the noblest, and the results of the same must, in the future, be very remunerative and satisfactory to all concerned. The object of this school is to protect the helpless, and train the incorrigible to obedience, and to reform those who have wandered from the right way, by education, by wholesome restraint, by moral influences, and by the formation of industrious habits.

## STATISTICS OF STATE REFORM SCHOOL.

Amount of land purchased, 377.86 acres, at a cost of-----	\$12,706 05
Surveying the same-----	237 50
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Total cost of land-----	\$12,943 55
Expended on buildings-----	32,408 70
Expended on improvement of grounds, auxiliary build- ings, etc.-----	1,947 75
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Total-----	\$47,300 00

The foregoing sum was expended during the biennial term ending December 31, 1890, of which \$30,000 was met by the appropriation of 1889, the remainder, \$17,300, a deficit, being covered by an appropriation during the legislative term of 1891.

During the biennial term ending December 31, 1892, the expenditures were:—

Buildings and improvements-----	\$13,289 67
House furnishings-----	5,997 44
Current expenses-----	22,107 95

Total-----	\$41,395 06
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From the foregoing we find there has been expended to date on building, land, and ground, as follows:—

During the term of 1889 and 1890-----	\$47,300 00
During the term of 1891 and 1892-----	19,287 11

Total-----	\$66,587 11
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The institution was opened in November, 1891, and ninety (90) boys have been received to date of this report, the present number of inmates being sixty-nine. Of the ninety boys committed, forty per cent are under the age of thirteen years. Just one half of them were born in Oregon; the remaining forty-five (45) are from twenty-four states and territories, France, Germany, and Scotland. Nearly forty-three per cent are children of intemperate fathers or mothers.

We have examined the books, checks, vouchers, and the entire system of accounts kept by the superintendent of the institution, and find them kept in a neat, thorough, and business-like manner. The system of keeping accounts was such that there were no difficulty in making our investigation thorough and complete, each expenditure being checked and verified by its proper voucher on file in the office of the secretary of state.

#### APPROPRIATIONS FOR THE SCHOOL.

The state board of trustees having charge of the school have made the following recommendations, which we most heartily approve and deem necessary, as follows:—

Additional school buildings-----	\$19,000 00
Work-shops-----	11,000 00
Dormitories-----	13,000 00
Laundry rooms-----	4,500 00
Bakery-----	3,000 00
Engine rooms-----	5,500 00

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Full equipment and furnishing of all of the above-----	\$18,000 00
Water supply-----	2,500 00
System of sewerage-----	1,500 00
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Total-----	\$78,000 00

## CURRENT EXPENSES.

Current expenses of the school for the next two years--\$36,000 00

## STATE INSTITUTE FOR THE BLIND.

We have visited the institute for the blind, and have been gratified and instructed in observing the facility with which children who have lost their eyesight bring to their aid the active energies and quick perceptions of youth in acquiring knowledge. The skill and spirit manifested by these children, who, under the supervision of kind and devoted teachers, are striving to secure an education to meet the stern duties of life, must be seen to be appreciated.

The great difficulties to be overcome in a school of this kind, the patience required in the instruction of the children, because of their great physical infirmities, cannot be readily understood except by those made familiar with the work as instructors.

During our visit we found the school well organized, the pupils under a wholesome discipline, and in their personal appearance healthy, neat, cleanly, and happy.

The work of instructing the blind is a most difficult task. It is a slow process, and it should be remembered that instruction given in such English branches as geography, grammar, history, etc., is mostly oral, and therefore requires time. Having forever lost one of the chief aids in acquiring knowledge, they are shut out from all the ordinary means of mental and physical training. Again, their great physical infirmity begets an extreme diffidence and sensitiveness, which can only be overcome by the careful and attentive teacher. Again, the blind pupil leaves his home and parents to enter the school with a trembling uncertainty of receiving that care and attention which he has always received from indulgent friends. From these and other considerations it will be seen that there is no class of persons so dependent in life as the blind.

Generous provision has been made for this unfortunate class in almost every state in the union. This is a fact worthy of consideration, and is a tribute to the broad philanthropy of the American people. The work which this state has undertaken of establishing a school for the education of the blind is deserving of the support and commendation of all good citizens.

The pupils make a showing in the industrial department that is quite encouraging. During the last two years they have taken up hammock-making as a venture, and as proceeds of their work, the sale of hammocks has nearly reimbursed them for all outlays for stock, and with forty or more hammocks remaining on hand, the property of the school. Aside from this, it has given them an opportunity to familiarize themselves with one line of handicraft, which is a step in the direction of preparing themselves for the strife for existence when they leave the fostering care of the institution. It is evident from the results shown that this feature of the school should be fostered and encouraged with all the means at our command.

As regards the expense of the institution compared with those in older and more popular states, we find great cause of gratification. As shown in the superintendent's report for the biennial term just ended, the cost per pupil has been less than \$200 per annum. Kentucky, whose blind school is one of the most economically administered, pays per pupil an annual sum of \$250. The number enrolled in the school during the past two years is twenty-nine, of whom twenty still remain. The average attendance has increased one hundred per cent over the previous biennial term.

We have carefully examined the books, accounts, and vouchers of the superintendent of the institute, and find them neatly kept and systematically and mathematically correct. With a proper certified voucher on file to correspond with each entry as it appears in its proper place in the account books, there is no trouble in tracing every item.

The state board of trustees having charge of the school have made the following recommendations for appropriations, which we heartily approve and deem necessary, as follows:—

For new buildings.....	\$ 8,500 00
Additional ground.....	2,000 00
Improvements on present buildings.....	1,000 00
Apparatus and industrial department.....	500 00
<b>Total.....</b>	<b>\$12,000 00</b>

#### CURRENT EXPENSES.

Current expenses of school for next two years.....\$12,000 00

#### DEPARTMENT OF PUBLIC INSTRUCTION.

All the books and accounts in the department of public instruction have been examined and found correct.

Special mention is here made of the very excellent and complete series of record books, registers, and blanks prepared by the state superintendent of public instruction for the use of our public schools.

The following record books, registers, blanks, and forms have been prepared, printed, and issued to all of the counties and school districts in this state by the state superintendent as required by the school laws, viz.:—

1. Teacher's register and record book.
2. District clerks' record book.
3. County superintendents' record book.
4. County superintendents' hand book of records.
5. Teachers' certificate book.
6. County superintendents' receipt books.
7. County treasurers' receipt books.
8. Clerks' blank reports.
9. Teachers' blank reports.
10. Superintendents' blank reports.
11. School census reports.

This series of records and blanks has done much to regulate and methodize the work of our school districts in all parts of the state.

#### RECOMMENDATIONS.

Special attention is directed to the practical suggestions made by the superintendent in his biennial report to this legislature.

These recommendations are found on pages 183, 184, 185, 207, 208, 209, 211, and 212 of the present report, and if incorporated in our present school laws would prove of great advantage in promoting our public school service.

Very respectfully,

C. B. CROSNO,

Chairman senate committee on education.

O. C. BROWN,

Chairman house committee on education.

On motion of Mr. Crosno, 250 copies of this report was ordered printed.

Mr. Bancroft, chairman of the committee on military affairs, submitted the following report:—

#### REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 17, 1893. }

*Mr. President:*

Your committee on military affairs, to whom was referred house

bill No. 209, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

AMENDMENT.

Strike out all after the enacting clause and insert in lieu thereof the following:—

Section 1. That section 15 of an act entitled "An act to authorize the cities of Portland, East Portland, and Albina to construct, purchase, or acquire by condemnation or other means, one or more bridges across the Willamette river between the city of Portland and the city of East Portland, in Multnomah county, Oregon, which bridge or bridges shall be free to all pedestrians and all classes of vehicles and traffic, except railways and street railways," be amended so as to read as follows:

Sec. 15. Whenever, and as soon as the several bridges herein provided to be procured, in the judgment of the committee, have been constructed, purchased, or hired, and are all ready for use, or the limit of the sum of money hereby authorized to be expended has been reached, there shall be appointed by the mayor of the city of Portland, for the purpose of maintaining, managing, and keeping in repair said bridges, three bridge commissioners, who are hereinafter referred to as the commissioners and the commission respectively, and thereafter the power and authority hereby given to said cities to construct, purchase, and hire one or more bridges, shall be exercised as hereinafter provided by said commissioners.

Section 2. That section 17 of said act be amended so as to read as follows:

Sec. 17. Two commissioners shall constitute a quorum for the transaction of business. The commissioners shall meet at a time and place to be appointed by the committee and organize by the election of a chairman, treasurer, and clerk as herein provided in the case of the committee, which chairman, treasurer, and clerk shall qualify in the same manner, have the same powers, assume the same obligations, and perform the same duties in regard to the commission as the chairman, treasurer, and clerk of the committee have and are required to perform in regard to the latter, and thereafter the commission shall meet in one of the said cities for the transaction of business regularly once a month, at such day and hour thereof, and at such place as it may provide, and otherwise as often as may be deemed necessary.

Section 3. That section 18 of said act be amended so as to read as follows:



Sec. 18. When the commissioners are appointed as above provided, the committee shall turn over the said bridges to it and all property pertaining thereto and to said committee, together with all the books, papers, and accounts relating to the construction, purchase, or hire thereof, as the case may be, and the commission shall thereupon take possession and charge of, and manage, conduct, and maintain the same.

Section 4. That section 19 of said act be amended so as to read as follows:

Sec. 19. The commissioner has power and authority,—

1. To employ, hire, and discharge from time to time all such agents, workmen, laborers, and servants as it may deem necessary in the conduct and management of said bridges.

2. To make all needful rules and regulations for the conduct, management, and use of the same by said cities, the inhabitants thereof, and the public in general.

3. To establish rates for the use thereof by the street railway companies and other companies and corporations not entitled to the free use of the same.

4. To pay the interest on the bonds issued by the bridge committee as fast as the same shall become due and payable, and at maturity the principal sum due on said bonds.

5. To do any other acts or make any other regulation necessary for the conduct of its business and the due execution of the powers and authority given it by this act and not contrary to law.

Section 5. That section 21 of said act be amended so as to read as follows:

Sec. 21. After the expiration of ten years from the time of the selection of the bridge commissioner, in addition to the sum herein provided to be levied and collected for payment of interest, repairs, etc., there shall be levied and collected annually a tax equal in amount to one twentieth part of the bonds issued by said bridge committee then outstanding, such levy and collection to be apportioned, made, and collected in like manner as herein provided for the levy and collection of tax to pay interest, repairs, etc., the proceeds thereof to be used in paying, redeeming, and retiring said bonds so issued for said bridge committee, if the said bonds can be purchased at a price but little in excess of the face value thereof, otherwise to be kept and invested by said commission as a sinking fund for the payment and redemption of said bonds.

Section 6. That section 22 of said act be amended so as to read as follows:

Sec. 22. The committee, so long as it shall continue to exist, and the commissioners shall each cause a quarterly statement in detail



of its receipts and disbursements to be made in triplicate, and signed by its chairman and clerk, one copy of which shall be filed with the auditor and clerk of each of said cities, who shall preserve the same among the files of his office, and shall cause the same to be published in two daily papers of said city of Portland.

Section 7. That section 23 of said act be amended so as to read as follows:

Sec. 23. Each of the three commissioners shall receive on account of his services under this act the sum of four hundred dollars per year, payable quarterly, on the order of the chairman, countersigned by the clerk of the commission.

Section 8. That section 24 of said act be and the same hereby is amended so as to read as follows:

Sec. 24. The committee, so long as it shall continue to exist, and the commissioners, when appointed, shall have the right to appropriate and condemn to the uses aforesaid any private real property, bridge, ferry, approach to bridge or ferry, or riparian rights for the general use of the people of the cities of Portland, East Portland, and Albina, and the same may be entered upon, examined, surveyed, and selected in the mode prescribed by the statutes of this state for the appropriation of land for corporate purposes, and thereafter the committee or commission, as the case may be, seeking to make such appropriation, may proceed in the manner prescribed by said statutes to have such property appropriated, and the compensation therefor determined and paid, and not otherwise, except that the compensation may be paid by the deposit in court of an order duly drawn upon the treasurer of said committee or commission for the amount of such compensation.

Section 9. As soon as this act shall take effect, the mayor shall appoint three commissioners, who shall hold their offices during the pleasure of the said mayor.

Section 10. That section 16 of said act, and all acts and parts of acts inconsistent herewith are hereby repealed.

Section 11. Inasmuch as the public welfare demands that this act shall be in force as soon as possible, the same shall take effect and be in force from and after its approval by the governor.

#### AMENDMENT.

Strike out the title of the bill and insert in lieu thereof the following:—

A bill for an act to amend sections 15, 17, 18, 19, 20, 21, 22, 23, and 24 of an act entitled "An act to authorize the cities of Portland, East Portland, and Albina to construct, purchase, or acquire

by condemnation or other means, one or more bridges across the Willamette river between the city of Portland and the city of East Portland, in Multnomah county, Oregon, which bridge or bridges shall be free to all pedestrians, and all classes of vehicles and traffic except railways and street railways, and to repeal section 16 of said act."

F. A. BANCROFT,  
Chairman.

On motion of Mr. Bancroft, the report was adopted.

House bill No. 209 was ordered to third reading.

Mr. Bancroft, chairman of the committee on military affairs, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President :*

Your committee on military affairs, to whom was referred house bill No. 378, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

F. A. BANCROFT,  
Chairman.

Mr. Gates moved that the rules be suspended and that house bill No. 378 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hirsch, Maxwell, McGinn, Myers, Smith, Steiwer, Willis, and Mr. President—20.

Nays—Messrs. Huston, Looney, Matlock, McAlister, Raley, Vanderburg, Veatch, Weatherford, and Woodard—9.

Not voting—Mr. Hayes—1.

So the rules were suspended and house bill No. 378 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Cameron, Crosno, Gates, Hirsch, Maxwell, McGinn, Willis, and Woodard—9.

Nays—Messrs. Alley, Beckley, Blackman, Butler, Cogswell, Cross, Denny, Dodson, Hayes, Huston, Looney, Matlock, McAlister, Myers,

Raley, Smith, Steiwer, Vanderburg, Veatch, Weatherford, and Mr. President—21.

So the bill failed to pass.

Mr. Bancroft, chairman of the committee on military affairs, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee on military affairs, to whom was referred house bill No. 303, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

F. A. BANCROFT,  
Chairman.

House bill No. 303 was ordered to third reading.

Mr. Maxwell, chairman of the special committee appointed under senate concurrent resolution No. 2, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1893. }

*Mr. President:*

Your committee, appointed under senate concurrent resolution No. 2 to investigate the manner in which the printing for the state has been done during the past two years, beg leave to submit their report.

The above resolution created the senate and house standing committees on printing a joint committee, and empowered the same to employ such expert and additional assistance necessary to measure and report the amount of printing done for the departments of state during the past two years.

At a meeting of the joint committee, held in the office of the state printer on January 16th, on motion Hon. J. W. Maxwell, chairman of the senate committee on printing, was elected chairman of the joint committee; and the chairman of the joint committee and the chairman of the house committee on printing were required to select the necessary expert assistance; whereupon Mr. Geo. Hibbert of Clatsop county and Mr. W. F. Osburn of Portland were selected. The selection of these gentlemen has proven to be a most excellent

one, for in the obtainment of the services of the former your committee has had the benefit of his experience as expert of previous committees appointed to investigate the state printing; and in the case of the latter, owing to his being the unanimous choice of the union printers of this section on account of his high professional standing and experience, we believe that the legislature was fortunate in obtaining his consent to act. These gentlemen have conducted the examination with careful scrutiny.

We find that the amount of printing done during the past two years is greatly in excess of any previous biennial term. This is accounted for by the natural increase of business in all of the departments and sub-departments consequent upon the steady growth of the state. Moreover, previous legislatures have required the publication of special editions of various documents, and have also created new boards and commissions—all of which necessarily augment the work of the printing department. The Australian ballot law, enacted last session, necessitated a large amount of new printing, which is paid for out of the printing fund.

The state printer, during the past two years, has added to his already large plant expensive and improved machinery, besides supplementing his composing-room with a considerable amount of costly type and other materials, thus enabling him, with the best skilled workmen obtainable, to do all the printing for the state in a most creditable and satisfactory manner.

We find that the state printer pays the best wages of any proprietor in the northwest for like services in the printing business, and that he employs no printer who is not the possessor of an international typographical union card. This we desire to commend in the highest terms.

Mr. Baker informs us that he has performed no printing other than that done for the state, thereby not competing with outside firms. This we commend as very fair, for the reason that he is permitted by law to enjoy without cost to him many privileges which other printers do not,—in the matter of rooms, lights, water and fuel, besides other conveniences accorded other state officials of the capitol.

The law requires the governor to appoint a state printing expert to measure all the work done by the state printer, and we find that the prices allowed by him have been fair and just. His system of computing the composition and press work shows the excellence of his judgment and his desire to render unto the state printer just what the law entitles him and no more. The work of the committee experts has been greatly facilitated by reason of the state expert's figures appearing on the face of each and every job of work

measured. This we commend most heartily. The law fixing the compensation of the state printer has been faithfully executed by the state expert, and with the exception of a slight difference here and there, his figures and those of the committee experts agree.

We most heartily commend his excellency, Governor Pennoyer, for his appointment of Capt. John O'Brien to the position of state printing expert, for, as stated above, he has conducted the duties of his important and responsible office in a manner creditable to the governor, whose duty it is under the constitution to see that the laws are strictly enforced, to himself, whose high standing in his party made him the associate of the governor on the democratic state ticket in 1890,—he being the nominee of that party and the labor union party that year for the office of state printer,—to his immediate constituency, the organized laboring men of the state, and to the entire people of the state. We are sorry that the compensation provided by law for the state printing expert is so small. Four dollars a day is too small pay for the services of a practical printer qualified in all respects to measure and otherwise pass upon the work done by the state printer, and we recommend that the law at the earliest possible moment be amended in this respect so as to make his compensation ten dollars a day for the time actually spent in the performance of his duties; and until an amendment is enacted fixing some sum other than that now provided by law, we recommend that the secretary of state, as auditor of public accounts, audit and allow the present state expert the above amount for his services per diem.

The paper necessary for the public printing and the binding is paid for out of the printing fund, and the purchase of unusually large supplies of paper has been rendered necessary by reason of the increased size of the several reports, and of the laws and journals, and the additional reports of the commissions and offices created by recent legislation.

The experts of our committee call our attention to the fact that the state printer in printing many of the biennial reports and other work had occasion to use smaller type than the kind prescribed by law, having done so for the purpose of expediting the publication of the respective reports, thereby saving much valuable time to the legislature. We approve of his action in this matter.

The law requires the state printer to keep an account of all the paper used by him in doing the public printing, and we find that he has done so in a systematic manner; also that he has receipted to the secretary of state for all paper purchased by him.

The joint committee appointed by the last legislature to investigate the manner in which the public printing has been done dur-

ing the years 1889 and 1890, in its report recommend to the legislature "that the law be so amended as to provide for the purchase of all paper required for the public printing by the state printer, whose experience and vocation are such that the state should receive the benefit thereof"; also that the binding for the state should be placed in his hands. We desire to renew the above recommendations. In this connection, we desire to include in this recommendation what the secretary of state has to say on this subject in his biennial report to this legislature. (See page 23, caption "Public binding; purchase of paper for the public printing.")

"Under existing law, the secretary of state is required to make contracts for the public binding, and to purchase paper for the use of the state printer. The public printing being done at the state capitol, it has been, in most cases, impracticable to have the binding done elsewhere, although, for reasons hereinafter stated, the prices paid at Salem for such work have exceeded the prices usually charged for similar work in cities where there has been more competition. The bindery at Salem, which has for many years performed this work, has not until recently been equipped with modern machinery. The labor cost of the work has, therefore, been so great that the proprietor could not afford to compete with binderies provided with better equipment. The work, however, has been excellent, and the prices not excessive considering the actual cost to the proprietor. This bindery was recently sold to the Capital City Bindery of Salem, with the managers of which, on condition that their bindery should be equipped with modern machinery for the purpose of doing the state work, I agreed to let the contract for the public binding for the next biennial term. Such contract is to be let with the understanding that there shall be a reduction of at least 20 per cent on the binding of ordinary book work, and a still larger reduction for folding, stitching, ruling, and other work of that kind. The company has already purchased and put in operation modern machinery, and is prepared to do the state work much more promptly than has hitherto been possible. In addition to the saving in time that will thus be effected, it will be seen from the terms of the contract that we may expect a very considerable saving of money on the cost of the public binding.

"I respectfully recommend that the law be so amended as to authorize the state printer to purchase the paper for the public printing. The transaction of such business is not necessarily, nor is it naturally connected with the duties of the secretary of state, while by reason of his profession the state printer is in every way qualified to perform that duty efficiently. I beg leave to quote the



report of the joint committee on public printing of the legislative assembly of 1891 respecting this matter:

“The law also requires the secretary of state to purchase all the paper required for public printing. This we deem a very unnecessary and inconvenient law, for the reason that the handling of the paper should be confined solely to the printing department, and we recommend that the law be so amended as to provide for the purchase of all paper required for public printing by the state printer, whose experience and vocation are such that the state should receive the benefit thereof. We find, however, that the secretary of state has used excellent and commendable judgment in the purchase of paper for the public printing, and has secured the lowest figures possible by receiving competitive bids and awarding the same in the most advantageous manner to the state, and in most cases has received the aid and judgment of the state printer in passing upon the paper and prices allowed.

“The binding for the state is required to be done by the secretary of state. The law in this respect should be changed, requiring the state printer to perform this work; but owing to the impracticability of introducing a bill to this effect at this late day of the session, we recommend that the secretary of state give the state printer the contract for doing the public binding.’ (See page 808, senate journal of 1891.)

“I cordially indorse the recommendation of said committee that the purchase of the paper for the public printing and the contracting for the public binding should be placed, by law, exclusively in the control of the state printer.”

We desire to commend the secretary of state for his excellent judgment in securing the contract with the Capital City Bindery, whose facilities for doing the work in a proper and expeditious manner are far in advance of any bindery ever before established and run in the capital. But there is the matter of wages paid to those employed in the bindery that we desire to speak of. It comes to us that the hands employed therein are being paid scarcely enough to sustain life. This we condemn, and at the same time recommend to the secretary of state that he exert every reasonable endeavor to cause the proprietors of the bindery to pay the employés therein a fair compensation for their services.

Owing to the excellent services rendered your committee in the discharge of its duty by the experts of the joint committee, Messrs. George Hibbert and W. F. Osburn, we recommend that they receive the same compensation as was paid last session for the same service.

In conclusion, we desire to direct your attention to the report of

the committee experts, which gives a more detailed account of the transactions of the office.

Respectfully submitted.

J. W. MAXWELL,  
Chairman senate committee on printing.  
C. H. DUNCAN,  
Chairman house committee on printing.  
J. W. MAXWELL,  
Chairman joint committee on printing.  
J. H. UPTON.

#### REPORT OF EXPERTS.

*To Messrs. Maxwell, McGinn, and Raley, on part of the senate, and Messrs. Duncan, Gowan, and Upton, on the part of the house, joint committee to investigate the manner in which the public printing has been done during the past two years—*GENTLEMEN: Herewith we submit our report to you as experts to measure and examine the work performed by the state printer during the past two years.

All the work measured by the state expert was found in convenient order and arrangement for re-measurement and examination. The bills submitted to the secretary of state were found to correspond exactly with all the sample of work performed, in amount of work done, measurements, and prices allowed therefor. All the work has been measured in the manner prescribed by statute, and the prices allowed are in strict accordance with the rates established by law.

The work of all descriptions turned out by the state printer is such as reflects great credit on the experienced and finished workman. It shows that much care has been taken to have the work conform to the most progressive methods, in taste, execution, and accuracy. Compared with the state work done elsewhere it makes an admirable showing.

The state expert, Capt. John O'Brien, who measured the printing done during the past two years, is a man who has shown scrupulous attention and precision in his measurements, adhering strictly to the provisions of law, where they were clearly defined, and employing accepted methods of union printers in all cases that were not governed by law.

The cost of printing during the past two years for the several departments, including deficiencies, is as follows: For the legislative department, \$10,391.89; judicial department, \$177.32; executive department, which includes the offices of governor, secretary of state, treasurer, superintendent of public instruction, land department, agricultural boards, and all other departments of state,



\$32,659.83; session laws, \$1,919.08; school laws, \$704.43; election laws, \$388.98; road laws, \$121.52; insurance laws, \$26.48; senate journal, \$1,099.79; house journal, \$1,228.72.

GEORGE HIBBERT,  
W. F. OSBURN,  
Experts.

On motion of Mr. Raley, the report was adopted.

On motion of Mr. Denny, house bill No. 172 was taken from the table.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Butler, Denny, Hayes, Hirsch, Looney, Maxwell, Myers, Steiwer, Willis, and Mr. President — 11.

Nays — Messrs. Beckley, Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Huston, Matlock, McAlister, McGinn, Smith, Vanderburg, Weatherford, and Woodard — 15.

Absent — Messrs. Bancroft, Gates, Raley, and Veatch — 4.

So the bill failed to pass.

On motion of Mr. Cogswell, the vote by which house bill No. 110 failed to pass was reconsidered.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Gates, Hayes, Hirsch, Looney, Matlock, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President — 23.

Nays — Messrs. Beckley, Dodson, and Huston — 3.

Absent — Messrs. Bancroft, Denny, Maxwell, and Veatch — 4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February —, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 333, 121, 296, 133, 160, 99, 10, 377, and 141.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bills Nos. 333, 121, 296, 133, 160, 99, 10, 377, and 141, and soon thereafter that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate's amendments to house bills Nos. 332, 343, 64, 36, 318, 180, and 331.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate's amendments to house bills Nos. 140 and 24.

D. C. SHERMAN,  
Chief clerk.

By unanimous consent, Mr. Raley submitted the following concurrent resolution:—

SENATE CONCURRENT RESOLUTION NO. 23.

*Be it resolved by the Senate, the House concurring,* That the secretary of state be instructed to furnish to the state printer for publication, as required by law, true copies of the records of the proceedings of this legislative assembly, as shown by the journals thereof, and the laws, resolutions, and memorials passed at this session, the compensation for such transcripts to be such as is prescribed by law for like services in other cases, and such copies of the laws to be furnished within sixty days from the date of the adjournment of this assembly. The original copies of the said laws, journals, resolutions, and memorials shall be safely kept on file in the office of the secretary of state, as required by law.

On motion of Mr. Raley, the resolution was adopted.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 37 and 70, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

On motion of Mr. Woodard, the vote by which house bill No. 53 failed to pass was reconsidered.

Mr. Vanderburg submitted the following amendment:—

## AMENDMENT.

Insert after the word "Husbandry," in line 5, section 1, printed bill, the words "Knights of Labor."

There being no objection, the amendment was adopted.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Crosno, Cross, Denny, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—24.

Nays—Messrs. Beckley, Huston, Myers, and Veatch—4.

Absent—Messrs. Cogswell and Dodson—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Alley asked unanimous consent to take up house bill No. 219. Consent was granted.

House bill No. 219 was read second time.

Mr. Alley moved that the rules be suspended and that house bill No. 219 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Cameron, Crosno, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, Vanderburg, Weatherford, Woodard, and Mr. President—15.

Nays—Messrs. Beckley, Cross, Huston, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Veatch, and Willis—11.

Absent—Messrs. Butler, Cogswell, Denny, and Dodson—4.

So the senate refused to suspend the rules.

On motion of Mr. Veatch, the vote by which house bill No. 17 failed to pass was reconsidered.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Vanderburg, Weatherford, Woodard, and Mr. President—21.

Nays—Messrs. Cross, Gates, Hayes, Huston, Steiwer, Veatch, and Willis—7.

Absent—Messrs. Denny and Dodson—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Denny, chairman of the special committee appointed under senate concurrent resolution No. 3, to investigate the books and accounts of the secretary of state, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

We, your committee appointed under senate concurrent resolution No. 3 to examine the books and accounts of the secretary of state, beg leave to report that we met on the seventeenth day of January, 1893, and employed three competent clerks and accountants to perform the clerical work. They have examined each account and have carefully compared the warrant stub books, abstract books, sub-fund books, ledgers, vouchers, receipts, and other papers, and have made separate balances of each to test the accuracy of each, and after making searching tests report that the balances in each case were found to be correct. We find the records of the secretary's office skillfully kept and his clerical force competent. We notice an improved arrangement of the sub-fund books, which has greatly decreased our labor in checking up the different accounts. We find a marked increase in the business of this office within the last two years. There were 6,218 warrants drawn, amounting to \$1,278,694.04, which required 59,185 entries, while in the two years immediately preceding there were 4,822 warrants drawn, requiring 43,125

entries. We find that the secretary has kept his office open after office hours, thereby greatly facilitating the transaction of the public business. We have examined the funds which have been under the direct supervision of the secretary of state and note that especial care seems to have been exercised in their expenditure.

In conclusion, we find that the office is properly kept and that the secretary is a careful, honest, prudent, economical, and efficient officer.

Respectfully submitted.

O. N. DENNY,  
HENRY BLACKMAN,  
JASPER WILKINS,  
GEO. T. MYERS,  
JERRY STONE.

Mr. Crosno asked unanimous consent to take up house bill No. 33.

Consent was granted.

House bill No. 33 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Butler, Cameron, Crosno, Cross, Gates, Hirsch, Looney, Maxwell, McAlister, McGinn, Raley, Smith, Steiwer, Weatherford, Woodard, and Mr. President—18.

Nays—Messrs. Hayes, Huston, and Willis—3.

Absent—Messrs. Beckley, Blackman, Cogswell, Denny, Dodson, Matlock, Myers, and Vanderburg—8.

Not voting—Mr. Veatch—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 109, 142, and 192, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has receded from its amendments to senate bill No. 101.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 101 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 45.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 45 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 217.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 217 was ordered enrolled.

House bill No. 175 coming on for third reading, was read third time.

Mr. Weatherford moved to lay house bill No. 175 on the table.

The motion was lost.

Mr. Huston moved to indefinitely postpone further consideration of house bill No. 175.

Messrs. Huston and Vanderburg called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Blackman, Butler, Matlock, McAlister, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford, and Woodard—12.

Nays—Messrs. Alley, Bancroft, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Looney, Maxwell, McGinn, Steiwer, Willis, and Mr. President—17.

Absent—Mr. Cogswell—1.

The senate refused to indefinitely postpone the consideration of house bill No. 175.

Mr. Weatherford moved a call of the senate.

Motion lost.

Mr. Huston moved that the vote by which the senate refused to indefinitely postpone further consideration of house bill No. 175 be now reconsidered.

Mr. Raley moved to lay the motion on the table.

The motion prevailed.

Mr. Weatherford arose to a point of order, and asked if the motion just adopted to lay the motion on the table did not take the bill with it.

The president announced the point not well taken.

Mr. Weatherford moved to refer the bill to the committee on judiciary with instructions to strike out section 2.

The senate refused to refer the bill.

Mr. Willis moved the previous question.

The president announced, "Shall the main question be now put?"

The ayes and nays were called for by Messrs. Willis and Dodson.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McGinn, Steiwer, Willis, and Mr. President—16.

Present and in their seats, but not voting and not excused—Messrs. Beckley, Blackman, Butler, Cogswell, Huston, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford, and Woodard—12.

The president announced that under the rule all the senators were required to vote unless excused and not voting should be recorded as voting in the negative.

The following senators were by instructions of the president recorded as voting in the negative: Messrs. Beckley, Blackman, Butler, Cogswell, Huston, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford, and Woodard—12.

Absent—Messrs. Matlock and McAlister—2.

The motion prevailed.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Cameron, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McGinn, Steiwer, Willis, and Mr. President—16.

Present and in their seats, but not voting and not excused—Messrs. Beckley, Blackman, Butler, Cogswell, Huston, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford, and Woodard—12.

The president announced that under the rule all the senators present were required to vote, and those refusing to vote would be recorded as voting in the negative.

The clerk was instructed to record the following-named senators as voting in the negative: Messrs. Beckley, Blackman, Butler, Cogswell, Huston, Myers, Raley, Smith, Vanderburg, Veatch, Weatherford, and Woodard—12.

Absent—Messrs. Matlock and McAlister—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The following protest was sent to the desk, read, and ordered placed on the record:

#### PROTEST.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

We, the undersigned senators, protest against the president's directing and requiring the clerk to record us, and each of us, as voting "no" upon house bill No. 175, for the reasons none of us voted "no" when our names, or either of our names, were called, and that the record so made is untrue and does not represent the vote as taken and given; that the president had no authority of law to either count or record any of us as present and voting "no"; and that only sixteen votes were cast upon the passage of the said bill, and each and all of said votes were recorded in the affirmative and none in the negative.

J. K. WEATHERFORD,	J. H. RALEY,
N. L. BUTLER,	C. H. WOODARD,
C. A. COGSWELL,	S. B. HUSTON,
HENRY BLACKMAN,	W. S. VANDERBURG,
W. F. MATLOCK,	R. M. VEATCH,
D. A. McALISTER,	HENRY BECKLEY,
J. O. SMITH,	JEFF. MYERS.



Mr. Bancroft moved that the vote by which house bill No. 175 was passed be reconsidered.

On motion of Mr. Willis, further consideration of Mr. Bancroft's motion was indefinitely postponed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 109, 142, and 192.

And the same are herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign senate bills Nos. 109, 142, and 192, and soon thereafter that he had signed them.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 23.

And the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 382,—a bill for an act to provide for the ordinary expenses of the state government and general and specific appropriations.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

House bill No. 382 was read first time.

Mr. Hirsch moved that the rules be suspended and that house bill No. 382 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Vanderburg, Willis, and Mr. President—24.

Nays—Messrs. Huston, Matlock, Smith, and Weatherford—4.

Absent—Messrs. Veatch and Woodard—2.

So the rules were suspended and house bill No. 382 was read second time by title only.

Mr. Hirsch moved moved that the rules be suspended and that house bill No. 382 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Butler, Cameron, Crosno, Denny, Hirsch, Looney, Maxwell, McGinn, and Mr. President—10.

Nays—Messrs. Bancroft, Beckley, Cross, Dodson, Gates, Hayes, McAlister, Raley, Smith, Steiwer, Vanderburg, Willis, and Woodard—13.

Absent—Messrs. Blackman, Cogswell, Matlock, Myers, and Veatch—5.

Not voting—Messrs. Huston and Weatherford—2.

The senate refused to suspend the rules.

Mr. Hirsch moved that the senate proceed to consider house bill No. 382 by sections.

The motion prevailed.

Section 1 was read and on motion of Mr. Hirsch adopted.

Mr. Willis moved to strike out lines 99, 100, and 101 of section 2, page 5 of printed bill.

The motion was lost.

Mr. Willis moved to strike out lines 141, 142, and 143 of section 2, page 6.

Messrs. Willis and Cross called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cross, Denny, Huston, Smith, Steiwer, Vanderburg, Weatherford, Willis, and Mr. President—9.

Nays—Messrs. Alley, Bancroft, Butler, Cameron, Cogswell, Crosno, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McGinn, and Myers—15.

Absent—Messrs. Beckley, McAlister, and Veatch—3.

Not voting—Messrs. Blackman, Raley, and Woodard—3.

The motion was lost.

Mr. Vanderburg moved to strike out in section 2 the following: "For the building and furnishing of dormitories for the university of Oregon, as recommended by committee appointed under house concurrent resolution No. —, to be expended by the board of regents, \$25,000."

Messrs. Vanderburg and Huston called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Beckley, Cross, Denny, Dodson, Hayes, Huston, Looney, Matlock, McAlister, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—17.

Nays—Messrs. Alley, Bancroft, Blackman, Butler, Crosno, Gates, Hirsch, Maxwell, McGinn, and Myers—10.

Absent—Messrs. Cameron and Veatch—2.

Not voting—Mr. Cogswell—1.

The motion prevailed, and that portion was stricken out.

On motion of Mr. Hirsch, section 2 as amended was adopted.

Mr. Denny moved to strike out "\$7,800" in section 3, line 7 of page 7, printed bill, and insert "\$6,000" in lieu thereof.

The motion was lost.

On motion of Mr. Hirsch, section 3 was adopted.

Sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 were read, and on motion of Mr. Hirsch adopted.

Mr. Willis moved to strike out from section 16 the following: "That there is hereby appropriated out of the general fund in the treasury of the state of Oregon the sum of \$9,000 for the maintenance and subsistence of female students holding free scholarships in the state agricultural college at Corvallis, Oregon, for the term of two years, to be expended under such restrictions and regulations as may be prescribed by the board of regents."

Messrs. Willis and Huston called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bancroft, Beckley, Butler, Cogswell, Cross, Denny, Dodson, Hayes, Huston, Matlock, McAlister, Smith, Steiwer, Vanderburg, Willis, and Mr. President—16.

Nays—Messrs. Alley, Crosno, Gates, Hirsch, Looney, Maxwell, McGinn, Myers, Raley, Weatherford, and Woodard—11.

Absent—Messrs. Blackman, Cameron, and Veatch—3.

The motion prevailed, and the bill was so amended.

On motion of Mr. Hirsch, section 16 as amended was adopted.

On motion of Mr. Hirsch, sections 17, 18, and 19 were adopted.

Mr. Cross moved to strike out section 20.

The motion was lost.

On motion of Mr. Hirsch, section 20 was adopted.

Mr. Weatherford moved that the vote by which that portion of the bill appropriating \$25,000 for the state university was stricken out be reconsidered.

Mr. Willis moved that the motion be indefinitely postponed.

Messrs. Cross and Vanderburg called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cross, Dodson, Hayes, Huston, McAlister, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—14.

Nays—Messrs. Alley, Bancroft, Beckley, Butler, Cogswell, Crosno, Denny, Gates, Hirsch, Looney, Matlock, Maxwell, McGinn, Myers, and Veatch—15.

Not voting—Mr. Blackman—1.

The senate refused to indefinitely postpone the motion.

The motion recurring on the motion to reconsider, the same prevailed and the vote was reconsidered.

The motion recurring on the motion to strike out, Messrs. Cross and Vanderburg called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cross, Dodson, McAlister, Raley, Smith, Steiwer, Vanderburg, Weatherford, Willis, Woodard, and Mr. President—12.

Nays—Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cogswell, Crosno, Denny, Gates, Hirsch, Huston, Looney, Matlock, Maxwell, McGinn, Myers, and Veatch—17.

Absent—Mr. Hayes—1.

The senate refused to adopt the motion to strike out.

Mr. Willis moved to strike out in section 2 the following: "For expenses and clerical aid of the state board of charities for two years, \$5,000."

The motion prevailed, and the same was stricken out.

On motion of Mr. Hirsch, sections 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31 were adopted.

Mr. Hirsch moved that the rules be suspended and that house bill No. 382 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Denny, Gates, Hayes, Hirsch, Huston, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer,

Vanderburg, Weatherford, Willis, Woodard, and Mr. President—27.

Nays—Messrs. Cross, Dodson, and Veatch—3.

So the rules were suspended and house bill No. 382 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Maxwell, Myers, Raley, Smith, Steiwer, Weatherford, Willis, Woodard, and Mr. President—24.

Nays—Messrs. Vanderburg and Veatch—2.

Absent—Messrs. Huston, Matlock, McAlister, and McGinn—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 4.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate joint resolution No. 4 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 379, 36, 335, 283, 376, 3, and 179.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bills Nos. 379, 36, 335, 283, 376, 3, and 179, and soon thereafter that he had signed them.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 37, 70, 27, 205, and 209, and senate joint memorial No. 3.

And the same are herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign senate bills Nos. 37, 70, 27, 205, and 209, and senate joint memorial No. 3, and soon thereafter that he had signed them.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 124 and 154.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bills Nos. 124 and 154, and soon thereafter that he had signed them.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 318, 17, and 331.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bills Nos. 318, 17, and 331, and soon thereafter that he had signed them.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 364 and 372.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
 Chief clerk.

The president announced that he was about to sign house bills Nos. 364 and 372, and soon thereafter that he had signed them.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 114.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
 Chief clerk.

Senate bill No. 114 was ordered enrolled.

Mr. Cogswell asked unanimous consent to take up house bill No. 282.

Consent was granted.

House bill No. 282 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Crosno, Denny, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Smith, Steiwer, Woodard, and Mr. President—21.

Nays—Messrs. Cogswell, Cross, Dodson, Huston, Vanderburg, Veatch, Weatherford, and Willis—8.

Not voting—Mr. Beckley—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 50, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

By unanimous consent, Mr. Raley introduced senate joint resolution No. 5 [?].

## SENATE JOINT RESOLUTION NO. 5.

Whereas the senate standing committee on mines and mining submitted to this legislature a report treating upon the mineralogy of this state, said report being replete with reliable data touching upon the mineral resources of our state; and whereas many an urgent inquiry has been received from abroad asking for information touching upon our mineral resources in that regard; and whereas nothing of an authentic and reliable character has ever been published setting forth the extent of the present interests and investments and the future possibilities in mining in Oregon; therefore, be it

*Resolved by the Legislative Assembly of the State of Oregon,* That the secretary of state be and is hereby authorized and directed to cause to be printed another edition of the said report for the purpose of distribution at the world's fair and elsewhere, as in his judgment he may deem most practicable, the said edition not to exceed over 25,000 copies in number.

*Resolved, further,* That the secretary of state shall include in his pamphlet a compilation of the laws of this state on mines and mining.

Mr. Raley moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Blackman, Butler, Cameron, Cogswell, Crosno, Cross, Denny, Dodson, Gates, Hayes, Hirsch, Looney, Matlock, Maxwell, McAlister, McGinn, Myers, Raley, Steiwer, Willis, Woodard, and Mr. President—24.

Nays—Messrs. Beckley, Huston, Smith, Vanderburg, Veatch, and Weatherford—6.

So the resolution was adopted.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 206.

And the same is herewith returned to you for enrollment.

D. C. SHERMAN,  
Chief clerk.

Senate bill No. 206 was ordered enrolled.

Mr. Cross, chairman of the special committee appointed under house concurrent resolution No. 3, submitted the following report:—

## REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

We, your committee appointed under house concurrent resolution No. 3 to visit the public works in the state, beg leave to report that on the twentieth day of January, 1893, we visited the jetty at the mouth of the Columbia river, which was found in an advanced stage of construction, and so near completion that it is largely doing the work expected and required of it, there being now practically no bar to impede free navigation, as late official measurements show twenty-nine feet of water at low tide on the bar. There remains but one season's work to complete the jetty as contemplated, and this has been provided for by adequate appropriation. The total cost of this work will not exceed \$1,862,000.

## THE PILOT SCHOONER.

We also examined carefully the pilot schooner owned by the state, and found it in a deplorable condition so far as comfort, convenience, safety, and sea-going qualities are concerned. Its draught is but six and one half feet, which permits it to be driven at the mercy of wind and wave. On account of its light draught it is frequently driven from its station during storms, when pilots are most needed at the entrance to the harbor by vessels desiring to enter.

## THE CASCADE LOCKS.

On the twenty-first day of January your committee made a thorough inspection of the locks under construction at the cascades of the Columbia. While much work has been done and a great deal of money has been expended, much has been done at a great disadvantage, and a considerable portion of the several appropriations has been wasted in repairing the ravages of the river in its annual rises. Under the system at last adopted by congress, which has permitted a contract to be entered into for their completion at an early day, we hope that the people of this state are at last to reap the benefits of their use, which a wise policy should have provided long ago. The government plant has been turned over to the contractors, who are now busy gathering material to push the work of construction as soon as the season will permit.

## THE PORTAGE RAILWAY.

The portage railway constructed at the cascade locks under an act of the last legislature is five eighths of a mile long. Besides its track the state has eleven flat cars, four box cars, one caboose, one engine, a warehouse, and a floating dock and wareroom. In connection with the boats plying on the river, it seems to be proving eminently satisfactory to the shippers interested. The dock at the upper wharf has been damaged by boats jamming against it. This should be repaired and strengthened, so as not to imperil the safety of the dock and track.

## THE JETTIES AT YAQUINA.

On the fourth day of February, 1893, your committee visited the jetties at the entrance to Yaquina bay, which are now nearing completion so far as present plans contemplate. The channel, or channels, were three in number when this work was begun, very tortuous, and afforded but seven feet of water at mean low tide. To remedy this two jetties are being constructed on the north and south sides of the entrance to the harbor. These lack but a short distance of completion, so far as length is concerned, but require considerable rock filling to bring the jetties up to the height intended and required. The work already done has given a single channel fourteen feet deep at mean low tide, and the appropriation available is sufficient, in our judgment, to complete the work as far as it should be done till time has been given to demonstrate the ultimate result that may be accomplished. As the tidal area is limited to less than five square miles, it is uncertain to what extent this reservoir will afford water to scour the bar. In our judgment

the storage area of the bay ought not to be reduced. We therefore recommend that congress be memorialized to appoint a commission to establish harbor lines.

Respectfully submitted.

H. E. CROSS,  
R. M. VEATCH,  
S. A. DURHAM,  
W. C. ELMORE,  
B. F. NICHOLS,  
Committee.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 32,—that the committee from both houses, appointed under house concurrent resolution No. 18, be continued and directed to complete examination, etc., relative to state portage railway around the cascades, etc., and file their report with the secretary of state to be laid before next legislative assembly, and providing for compensation of committee and clerical assistants.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 32.

Whereas owing to storms and severe weather the joint committee appointed by the house and senate, under house concurrent resolution No. 18, to examine and investigate the matters pertaining to the construction and cost of the state portage railroad around the cascades of the Columbia river, etc., have been prevented from making an examination of said portage road or investigating the matters referred to in said concurrent resolution; and whereas grave charges have been made concerning the manner in which said portage road was constructed and the moneys appropriated therefor by the state expended, and the public interest requires that said matters be investigated; therefore, be it

*Resolved by the House, the Senate concurring,* That the committee of five, consisting of three members from the house and two members of the senate, appointed under and by virtue of said house concur-

rent resolution No. 18, be and they hereby are continued and authorized, empowered, and directed to examine, investigate, and inquire into all matters pertaining to the construction, cost, and operation of the said portage railroad around the cascades of the Columbia river, and the wharves, station-house, terminal facilities, and approaches connected therewith, including the cost of purchasing and acquiring right of way for said portage railroad, and the cost of running, operating, and maintaining said road and the property used in connection therewith, and the manner in which the moneys appropriated by the state for the construction of said road were expended, and all other matters connected with said portage railroad; and be it further

*Resolved*, That said committee shall meet and sit at such times and places after the adjournment of this legislature as they or a majority of them shall deem expedient, and that they or a majority of them shall have power to take testimony regarding said matters to be investigated, and to compel the attendance and testimony of witnesses and the production of all books, papers, contracts, agreements, documents, and vouchers relating to matters under investigation, and to administer oaths and to employ such clerical help as in their judgment may be necessary; and be it further

*Resolved*, That said committee make a report of its findings concerning said matters to be investigated and file the same with the secretary of state, to be laid before the next legislative assembly. Said committee shall be paid their actual expenses incurred in making such investigation, and during the time actually so employed shall be paid the same per diem as members of the legislative assembly; and the secretary of state shall draw warrants in payment of the same and for the clerical labor employed and necessary witness fees upon the general fund.

Mr. Hayes moved that the senate concur in the adoption of the resolution.

Mr. Denny moved that further consideration of the resolution be indefinitely postponed.

The motion prevailed, and consideration was indefinitely postponed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 14,—providing that special cor-

poration laws for municipal purposes shall not be published with general laws nor at all at the expense of the state.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### HOUSE JOINT RESOLUTION NO. 14.

*Resolved by the House, the Senate concurring,* That the special corporation laws passed at this session for municipal purposes shall not be published with the general laws nor printed at all at the expense of the state.

Mr. Alley moved that house joint resolution No. 14 be referred to the committee on printing.

Mr. Blackman moved to indefinitely postpone further consideration.

The motion prevailed, and consideration of house joint resolution No. 14 was indefinitely postponed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 15,—authorizing the governor, secretary of state, and treasurer as the board managing stove foundry plant of penitentiary, if same be purchased, to carry on, etc., and authorizing to purchase materials, etc., and secretary of state to draw warrants on general fund and treasurer to pay same out of such fund.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

#### HOUSE JOINT RESOLUTION NO. 15.

*Resolved by the House, the Senate concurring,* That the governor, secretary of state, and state treasurer, as the board having charge of the management and operation of the stove foundry plant at the penitentiary, if the same shall be purchased by the state, shall carry on and operate said stove works, and for that purpose are hereby authorized and empowered to purchase all necessary mate-

rials and supplies for that purpose, and the secretary of state in payment therefor is hereby authorized to draw warrants on the general fund and the treasurer to pay the same out of such fund.

On motion of Mr. Denny, further consideration of house joint resolution No. 15 was indefinitely postponed.

The board of portage railroad commissioners submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1893. }

*To the Honorable the Legislative Assembly of the State of Oregon:*  
We, the undersigned, constituting the board of portage commissioners of the state of Oregon, respectfully submit the following report of the transactions of said board under the act approved February 16, 1891, authorizing the said board to construct, operate, and maintain portage railways on the Columbia river:—

On the fifteenth day of May, 1891, the board of portage commissioners formally organized by the election of Governor Sylvester Pennoyer as chairman; Philip Metschan, treasurer; and Samuel L. Lovell, secretary of said board. At the same meeting the said Samuel L. Lovell was also appointed the engineer, and C. J. Farley the superintendent of construction of the portage railway to be constructed at the cascades of the Columbia river.

In response to an inquiry sent by request of the board by the secretary of state, asking permission to construct said road over a portion of government grounds near cascade locks, Major Thomas Handbury, of the United States corps of engineers, under date of May 14, 1891, suggested that, inasmuch as the tracks on the government grounds were all of three-feet gauge, it would be necessary for the gauge of the state portage railway to conform to the government roads already on the ground. In accordance with such suggestion, the board decided that the track of the state portage railway should be constructed with a gauge of three feet.

On May 30, 1891, the board selected the line on which the portage railway should be built, and ordered that work be begun upon such construction as soon as practicable. Thereafter the work of construction was diligently prosecuted, and on September 23, 1891, the road, though not fully completed, was sufficiently equipped to begin the work of transferring freight and passengers. Since that time the road has been continuously operated whenever business was offered by shippers or by transportation lines, though traffic has been suspended on account of high water and of freezing

weather on the Columbia river for several weeks at a time during said period.

The portage railway, including the upper and lower inclines, and a wharf boat which is kept at the lower incline, has been constructed within the appropriation made for such purpose by the act aforesaid.

By order of the board a suit was begun and prosecuted to a verdict for the condemnation of about 8½ acres of land of the Atwell donation land claim, such land being deemed necessary for the uses of the portage railway, including necessary right of way for a pipe line, by means of which the state has a water supply under its own control. In the said suit the jury rendered a verdict appraising the value of such land at \$4,000, which sum the board deemed excessive, and therefore ordered an appeal from the verdict. On further consideration, however, it seemed evident that it would be impossible to obtain a verdict fixing a lower sum, whereupon the board agreed with M. J. Atwell to accept her deed conveying said property to the state of Oregon, and to issue therefor its approved voucher for the sum of \$4,000, to bear interest at the rate of 8 per cent per annum. There is due upon said land, including interest and unpaid witness fees in the condemnation suit, the sum of \$3,811.80, for which we recommend an appropriation by your honorable body.

The table herewith printed shows the total earnings of the portage railway from September 23, 1891, to and including the thirtieth day of November, 1892. The said total does not include the sum of \$319.01 rebate on freight, which sum was paid into the fund arising from traffic earnings and will appear in the report of the treasurer of the board as a part of what is known as the operating fund.

The report of the treasurer of the board dated December 16, 1892, which is printed herewith, indicates a balance in the operating fund at that date of \$837.62. It is probable that necessary repairs and labor on the track and rolling stock, and the wages of employes during the present suspension of traffic, will consume the greater portion of the fund now on hand.

Tables containing statements of all freights and passengers transported over the portage railway, of the earnings of said road and of authorized disbursements thereof, are hereto attached and made a part of this report. The earnings for the year 1892 indicate an increasing traffic.

This board acknowledges many courtesies, valuable advice, and kind assistance from Major Thos. H. Handbury and his subordinate officers in all matters pertaining to the work at the cascades.



On November 19, 1891, Mr. J. N. Ryan was appointed superintendent of traffic to fill the vacancy caused by the resignation of G. J. Farley. On October 25, 1892, Mr. Ryan tendered his resignation, asking that it take effect November 15, 1892, but the board accepted the same to take effect January 1, 1893. Mr. C. C. Hobart of The Dalles, was duly elected to fill the vacancy caused by the resignation of Mr. Ryan, and will take charge of the portage railway as superintendent thereof January 1, 1893.

## CONCLUSION.

This report was made as of date, the seventeenth of December, 1892, but has been unavoidably deferred, owing to the illness of the secretary of the board, whose verification of certain tables herein printed was necessary before presentation of this report.

We have the honor to be, very respectfully,

Your obedient servants,

SYLVESTER PENNOYER,  
Governor,  
GEO. W. McBRIDE,  
Secretary of State,  
PHIL. METSCHAN,  
State Treasurer,  
*Board of Portage Commissioners.*

## STATEMENT OF EARNINGS.

1891.	
September and October.....	\$ 917 06
November.....	633 90
December.....	321 91
1892.	
January, 1st to 12th.....	78 87
February.....	225 09
March.....	460 76
April.....	531 66
November 15, 1891, to April 30, 1892, cash fares.....	3 25
May.....	338 10
August.....	616 45
September.....	640 39
October.....	1,024 18
November.....	1,008 29
December, 1st to 17th.....	451 65



## AUTHORIZED DISBURSEMENTS.

<i>Date.</i>	<i>For what purpose.</i>	<i>Amount.</i>
1891.		
October.	Pay roll.....	\$ 809 43
November.	Pay roll.....	701 42
	Claim of D. P. & A. N. Co., goods lost.....	41 63
December.	Pay roll.....	407 13
	E. M. Stevens, expense and salary.....	14 74
	Rasmussen & Co., paper.....	1 40
1892		
January.	J. K. Gill & Co., stationery.....	5 40
	Pay roll.....	207 33
February.	Pay roll.....	175 00
	A. G. Hall, hauling freight.....	1 00
March.	Kelly, Dunne & Co. ....	14 75
	Pay roll.....	300 00
April.	Pay roll.....	360 00
May.	Pay roll.....	290 00
June.	F. F. Leavens, wood.....	32 50
	Foster & Robertson.....	11 00
	J. N. Ryan, expense account.....	27 50
	A. G. Hall, hauling freight.....	2 50
	Pay roll.....	210 00
July.	Standard Oil Co., coal oil.....	5 70
	Union Pacific Railway (bill of 1891), freight.....	1 75
	Pay roll.....	289 66
	Wolff & Zwicker Iron Works Co. ....	4 30
August.	Pay roll.....	422 50
	Foster & Robertson.....	37 93
September.	Pay roll.....	392 50
	Standard Oil Co., coal oil.....	9 60
	Wolff & Zwicker Co., for hardware.....	4 50
	J. N. Ryan, expense bill.....	21 75
	Dekum Bros., stove, etc.....	10 00
	J. B. Crossan, recording deed.....	2 00
October.	Pay roll.....	399 00
	Foster & Robertson, hardware.....	26 65
	Foster & Robertson, glass for car.....	2 25
November.	D. P. & A. N. Co., rebate.....	13 50
	D. P. & A. N. Co., damage to freight.....	78 78
	Pay roll.....	410 50
	Dekum Bros., for stove ware.....	1 10
	Willamette Steam Mills Co., lumber.....	1 94
	D. L. Gates & Co., wood.....	412 75
	J. N. Ryan, expense account.....	35 40

STATEMENT

Of freight and of the number of passengers transferred over the Oregon state portage railway at cascades, from September 23, 1891, to and including the 17th day of December, 1892.

Month.	Freight—pounds	Wagons	Buggies	Hacks	Miscellaneous—cars	Horses.		Cattle.		Sheep.		Hogs.		Passengers
						Carloads	Less than carloads	Carloads	Less than carloads	Carloads	Less than carloads	Carloads	Less than carloads	
1891.														
September and Oct.	2,489,269	28	4		61 $\frac{1}{4}$	3.5	106	1	11		58	1	114	1,210
November	1,757,146	21	1			3	69	2	14			4		403
December	750,504	6					136		69				287	531
1892.														
January	219,682						13		2					214
February	542,943	12	4			1	77	1	15					232
March	1,035,484	21	8			11	82	5	26	3			27	352
April	1,227,383	14	12			5	173	2	21	2			33	797
May	879,502	6	5	3		6	54	6	7					406
August	1,499,775	18	12	1		7	131	6	31					936
September	1,706,773	18	12	1		4	119	5	18		41			1,008
October	3,532,909	36	15	1		5	149	4	31		36			1,039
November	2,914,302	29	7	1		9	114	52	25					748
December	1,633,770	5	5			1	61	6	12					339
Total	*20,189,442	214	85	7		55.5	1,234	90	282	5	135	5	500	8,215

\* 10,094 $\frac{1442}{2000}$

REPORT OF THE TREASURER.

SALEM, Oregon,  
December 16, 1892. }

To the Honorable the Board of Portage Commissioners of the State of Oregon—GENTLEMEN: I have the honor to submit herewith my official report as treasurer of the board of portage commissioners of the state of Oregon, showing in detail the receipts and expenditures of the operating department of the state portage railroad, now in successful operation at a point near the lower cascades, on the Columbia river, from the date of its completion and acceptance by the state to the present time.

I have the honor to be,  
Very respectfully yours,

PHIL. METSCHAN,  
Treasurer.

DETAILED STATEMENT OF RECEIPTS.

Date.	From whom received.	On what account.	Amount.
1891.			
Nov. 4	Geo. W. McBride, secretary of state.....	Tariff on road.....	\$ 917 05
Dec. 3	B. F. Laughlin.....	Tariff on road.....	633 90
3	G. J. Farley, ex-superintendent.....	Rebate, freight, N. P. R. R.....	319 01
1892.			
Jan. 16	B. F. Laughlin.....	Tariff for December, 1891.....	241 91
18	B. F. Laughlin.....	Tariff for January, 1892.....	58 87
Mar. 8	B. F. Laughlin.....	Tariff for February, 1892.....	225 09
April 19	B. F. Laughlin.....	Tariff for March, 1892.....	460 76
May 5	B. F. Laughlin.....	Tariff for April, 1892.....	531 66
9	J. N. Ryan, superintendent.....	Fares collected.....	3 25
June 22	Geo. W. McBride, secretary of state.....	Tariff for June, 1892.....	337 85
Sept. 12	D. P. & A. N. Co.....	Tariff for August, 1892.....	616 45
Oct. 12	D. P. & A. N. Co.....	Tariff for September, 1892.....	640 39
Nov. 7	D. P. & A. N. Co.....	Tariff for October, 1892.....	1,023 68
8	J. N. Ryan, superintendent.....	Realized from sale, fruit damaged in wreck Oct. 25, 1892.....	24 00
Dec. 3	J. N. Ryan, superintendent.....	Cash collections.....	9 75
8	D. P. & A. N. Co.....	Tariff for November, 1892.....	996 29
	Total receipts to date.....		\$ 7,039 91

## DETAILED STATEMENT OF DISBURSEMENTS.

<i>Date.</i>	<i>To whom paid.</i>	<i>For what purpose.</i>	<i>Amount.</i>
1891.			
Nov. 9	William Laycock.....	Services as engineer.....	\$ 100 00
9	John Buffon.....	Services as fireman.....	65 00
9	Samuel Thurman.....	Services as brakeman.....	70 00
9	B. O'Connor.....	Services as truckman.....	31 50
9	A. B. Andrews.....	Services as engineer.....	9 16
9	Martin Johnson.....	Services as wharf boatman ..	70 00
9	A. C. Trask.....	Services as trackman.....	22 75
9	E. M. Stevens.....	Services as conductor.....	100 00
9	H. Kuhnhausen.....	Services as truckman.....	34 37
9	George F. Buffon.....	Services as brakeman.....	65 00
9	F. M. King.....	Services as watchman.....	16 26
9	Peter Lahey.....	Services as watchman.....	62 00
9	W. Leaburg.....	Services as trackman.....	7 25
9	J. N. Basye.....	Services as truckman.....	12 25
9	Mike Conlon.....	Services as fireman.....	4 00
9	F. M. King.....	Services as watchman.....	5 40
9	H. Ross.....	Services as truckman.....	13 40
9	H. Ross.....	Services as laborer.....	6 97
9	C. H. Trask.....	Services as trackman.....	20 50
9	Sam McCarey.....	Services as trackman.....	15 12
9	Thomas Quirk.....	Services as trackman.....	17 00
9	Peter Mullen.....	Services as trackman.....	12 75
Dec. 3	E. M. Stevens.....	Services as conductor.....	100 00
3	George W. Buffon.....	Services as trackman.....	16 26
5	J. N. Ryan.....	Services as superintendent.....	50 00
5	William Laycock.....	Services as engineer.....	100 00
5	S. L. Thurman.....	Services as brakeman.....	65 00
5	George J. Buffon.....	Services as brakeman.....	57 50
5	J. H. Buffon.....	Services as fireman.....	57 50
5	Martin Johnson.....	Services as wharf boatman ..	65 00
5	F. M. King.....	Services as watchman.....	66 00
5	H. Ross.....	Services as laborer.....	46 35
5	S. McCarey.....	Services as laborer.....	42 30
9	S. McCarey.....	Services as laborer.....	9 60
9	H. Ross.....	Services as laborer.....	9 60
9	Thomas Manahan.....	Services as laborer.....	9 60
9	C. R. Jones.....	Services as laborer.....	10 00
9	John Buffon.....	Services as laborer.....	8 33
10	H. Kuhnhausen.....	Services as laborer.....	47 77
10	H. M. Stevens.....	Salary and expense account..	14 74
10	Rasmussen & Co.....	Supplies for road.....	1 40

On account of pay roll for December, 1891, as follows:—

1892.			
Jan. 6	William Laycock.....	Services as engineer.....	100 00
6	S. L. Thurman.....	Services as brakeman.....	60 00
6	George Buffon.....	Services as brakeman.....	50 00
6	C. C. Brophy.....	Services as watchman.....	50 00
6	J. N. Ryan.....	Services as superintendent ..	100 00
21	J. K. Gill & Co.....	Supplies for road.....	5 40

On account of pay roll for January, 1892, as follows:—

Feb. 9	William Laycock.....	Services as engineer.....	43 33
9	S. L. Thurman.....	Services as brakeman.....	10 00
9	George Buffon.....	Services as brakeman.....	20 00
9	C. C. Buffon.....	Services as watchman.....	50 00
9	T. F. Levens.....	Services as brakeman.....	14 00
9	J. N. Ryan.....	Services as superintendent ..	40 00
9	George Buffon.....	Services as wharf boatman ..	30 00

On account of pay roll for February, 1892, as follows:—

March 8	William Laycock.....	Services as engineer.....	50 00
8	George Buffon.....	Services as brakeman.....	25 00
8	C. C. Brophy.....	Services as watchman.....	50 00
8	T. F. Levens.....	Services as brakeman.....	30 00

## DETAILED STATEMENT OF DISBURSEMENTS—CONTINUED.

<i>Date.</i>	<i>To whom paid.</i>	<i>For what purpose.</i>	<i>Amount.</i>
1892.			
March 8	J. N. Ryan.....	Services as superintendent ..	\$ 20 00
15	A. G. Hall.....	Services as teamster.....	1 00

On account of pay roll for March, 1892, as follows:—

April 22	William Laycock.....	Services as engineer.....	100 00
22	T. F. Levens.....	Services as brakeman.....	60 00
22	George Buffon.....	Services as brakeman.....	50 00
22	Ed. Monnahan.....	Services as watchman.....	50 00
22	J. N. Ryan.....	Services as superintendent..	40 00
23	Kelly, Dunne & Co. ....	Supplies for road.....	14 75

On account of pay roll for April, 1892, as follows:—

May 9	William Laycock.....	Services as engineer.....	100 00
9	George Buffon.....	Services as brakeman.....	60 00
9	R. L. Aldridge.....	Services as brakeman.....	50 00
9	Ed. Monnahan.....	Services as watchman.....	50 00
9	J. N. Ryan.....	Services as superintendent..	100 00

On account of pay roll for May, 1892, as follows:—

June 1	William Laycock.....	Services as engineer.....	53 33
1	George Buffon.....	Services as brakeman.....	60 00
1	R. L. Aldridge.....	Services as brakeman.....	26 67
1	G. W. Buffon.....	Services as watchman.....	50 00
1	J. N. Ryan.....	Services as superintendent..	100 00
1	J. N. Ryan.....	Expense account.....	27 50
1	A. G. Hall.....	Services as teamster.....	2 50
1	T. F. Levens.....	Fuel for portage road.....	32 50
1	Foster & Robertson.....	Supplies for road.....	11 00

On account of pay roll for June, 1892, as follows:—

July 2	George Buffon.....	Services as brakeman.....	50 00
2	G. W. Buffon.....	Services as watchman.....	50 00
2	J. N. Ryan.....	Services as superintendent..	100 00

On account of pay roll for July, 1892, as follows:—

Aug. 10	J. N. Ryan.....	Services as superintendent..	100 00
16	Standard Oil Co. ....	Supplies for road.....	5 70

On account of pay rolls for July and August, 1892, as follows:—

Sept. 12	J. N. Ryan.....	Services as superintendent..	100 00
12	George Buffon.....	Services as brakeman.....	120 00
12	G. W. Buffon.....	Services as watchman.....	100 00
12	William Laycock.....	Services as engineer.....	120 00
12	Henry Dettman.....	Services as brakeman.....	61 66
12	William Hendrix.....	Services as wharf boatman ..	82 00
12	Peter Nelson.....	Services as laborer.....	16 00
12	Hans. P. Alveck.....	Services as carpenter.....	12 50
12	Foster & Robertson.....	Supplies for road.....	37 93
12	Wolf & Zwicker.....	Supplies for road.....	4 30
12	Phil. Metschan.....	Expense account.....	43 00

On account of pay roll for September, 1892, as follows:—

Oct. 13	William Laycock.....	Services as engineer.....	100 00
13	George Buffon.....	Services as brakeman.....	60 00
13	Henry Dettman.....	Services as brakeman.....	25 00
13	G. W. Buffon.....	Services as wharf boatman ..	50 00
13	Chas. Olsen.....	Services as engine wiper.....	50 00
13	J. N. Ryan.....	Services as superintendent..	100 00
13	Hans. P. Alveck.....	Services as carpenter.....	7 50
13	Standard Oil Co. ....	Supplies for road.....	9 60
13	Dekum Bros. ....	Supplies for road.....	10 00
13	Wolf & Zwicker.....	Supplies for road.....	4 50

DETAILED STATEMENT OF DISBURSEMENTS—CONCLUDED.

Date.	To whom paid.	For what purpose.	Amount.
1892.			
Oct. 18	J. N. Ryan	Expense account	\$ 21 75
19	J. B. Crossen	County clerk's fees	2 00

On account of pay roll for October, 1892, as follows:—

Nov. 8	J. N. Ryan	Services as superintendent	100 00
8	William Laycock	Services as engineer	100 00
8	George Buffon	Services as brakeman	60 00
8	Chas. Olsen	Services as engine wiper	50 00
8	G. W. Buffon	Services as wharf boatman	50 00
8	John Buffon	Services as laborer	7 00
8	M. Perkins	Services as laborer	5 00
8	O. Carrigan	Services as laborer	6 00
8	Thad. Glazier	Services as laborer	5 00
8	Joseph Helinger	Services as laborer	5 00
8	A. B. Glazier	Services as laborer	6 00
8	Henry Glazier	Services as laborer	5 00
8	Foster & Robertson	Supplies for road	28 90
28	D. P. & A. N. Co.	Rebate, error in freight	13 50
28	D. P. & A. N. Co.	For claim, Allen & Lewis	32 40
28	D. P. & A. N. Co.	For claim, Page & Son	46 38

On account of pay roll for November, 1892, as follows:—

Dec. 6	William Laycock	Services as engineer	100 00
6	George Buffon	Services as brakeman	60 00
6	Chas. Olsen	Services as engine wiper	50 00
6	G. W. Buffon	Services as wharf boatman	50 00
6	J. N. Ryan	Services as superintendent	100 00
6	Hans. P. Alveck	Services as carpenter	15 00
6	T. F. Levens	Services as carpenter	7 50
6	O. Carrigan	Services as laborer	15 00
6	J. F. Tompkins	Services as brakeman	4 00
6	William Thurston	Services as laborer	9 00
10	Dekum Bros.	Supplies for road	1 10
10	Willamette Steam Mills	Supplies for road	1 91
10	D. L. Cates & Co.	Wood (127 cords) for road	412 75
10	J. N. Ryan	Expense account	35 40
10	U. P. R. R. Co.	Freight bills, June, 1892	1 75
16	D. P. & A. N. Co.	Claims allowed	41 63
	Total disbursements		\$ 6,202 29

RECAPITULATION.

Total receipts	\$ 7,039 91
Total disbursements	6,202 29
Balance on hand	\$ 837 62

FREIGHT AND PASSENGER RATES

Of the Oregon state portage railway, approved by the board of portage commissioners, and in effect December 17, 1892:—

Class A—Rate, 40 cents per net ton—wheat, railroad iron, and hay in common bales.

Class B—Rate, 60 cents per net ton—General merchandise, and all other freight not otherwise specified; salmon.

Class C—Rate, 30 cents per net ton—Shingles; coal.

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Class E—Buggies, hacks, carts, sulkies, each 50 cents. Emigrant wagons, set up, each \$1.00.

#### LIVE STOCK.

One horse, mule, or horned animal, each 60 cents.

Two horses, mules, or horned animals, each 40 cents.

Three horses, mules, or horned animals, each 30 cents. (This rate to be charged for three or more such animals if the number is less than would make a car load.)

Stallions and bulls, released, each \$1.00.

Hogs, sheep, and dogs, each 5 cents.

Cattle, hogs, and sheep, (man in charge passed free) per car, \$3.00.

Horses, released, per car, \$3.50.

The state of Oregon will assume no liability for injury to animals while being transferred.

#### PASSENGER RATES.

Passengers, each, 5 cents.

#### SPECIAL RULES AND INSTRUCTIONS.

The minimum freight charge under this tariff will be for one ton.

Classification of articles will apply to cargoes regardless of consignee or consignor.

Freight will be received on basis of actual weight, and must be accompanied by certified copy of manifest or waybill, signed by the purser of boat or other authorized official delivering the same for transfer.

No liability will be assumed by the state of Oregon for loss or damage by the elements, unavoidable delays, or accidents.

Freight will be received at owner's risk only.

Claims for shortage or wrong delivery must be made to the superintendent, in writing, and must be accompanied with original expense bill and shipping receipt.

A charge of \$2 per ton per hour, registered tonnage, will be made on all boats remaining at docks or inclines longer than three hours after loading or discharging freight and passengers.

Freight and passengers must be delivered for transfer immediately after a steamer carrying the same makes fast to the dock.

Two thousand pounds will constitute a ton.

The portage railway will receive freight only at the convenience of the officer in charge thereof.

House bill No. 80 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Butler, Cameron, Cogswell, Denny, Dodson, Gates, Hayes, Hirsch, Huston, Matlock, Maxwell, McAlister, McGinn, Myers, Smith, Steiwer, Vanderburg, Weatherford, and Woodard—21.

Nays—Messrs. Crosno, Cross, Looney, and Willis—4.

Absent—Messrs. Beckley, Blackman, Raley, Veatch, and Mr. President—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The president called Mr. Cross to the chair.

By unanimous consent, Mr. Willis introduced senate resolution No. 31.

#### SENATE RESOLUTION NO. 31.

*Resolved*, That senate resolution No. 7, providing for the pay of the officers of the senate, be amended so as to provide that the calendar clerk shall receive \$8.00 per day; the sergeant-at-arms, \$7.00 per day; doorkeeper, \$6.00 per day, and the mailing clerk, \$5.00 per day.

Mr. Gates moved to amend the resolution by making the pay of pages \$4.00 per day.

Mr. Smith moved to lay the amendment on the table.

The motion was lost.

Mr. Gates moved the adoption of the amendment.

The motion prevailed.

Mr. Willis moved the adoption of the resolution as amended.

The motion prevailed, and the resolution was adopted.

Mr. Maxwell, chairman of the committee appointed under senate concurrent resolution No. 8 to examine the books of the military board, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1893. }

*Mr. President:*

Your committee, appointed under senate concurrent resolution No. 8 to examine the books of the military board, beg leave to



report that we have employed suitable clerks and pursued our investigations as carefully as the time allowed would permit.

We find no vouchers on file in the office of the adjutant-general, who is the secretary of the board, the only book kept being the minutes of the meetings of the military board. This book shows the accounts approved by the board. Your committee has, therefore, examined the vouchers on file with the secretary of state, and charged the same to the proper accounts, opening a complete set of books for that purpose. We find the total amount approved by the military board, as shown by the minutes of the meetings of the said board,—

From January 1, 1891, to December 31, 1892, to be----- \$63,026 62

Of this amount there has been paid by war-

rants of the secretary of state----- \$59,566 18

There remain unpaid accounts approved

by the military board to the amount of- 3,460 44

Total amount approved by military

board----- \$63,026 62 \$63,026 62

This amount allowed was for the following balance sheet, showing the amount approved by the military board and paid by warrants of the secretary of state drawn on the military fund and amount approved by military board and unpaid for want of funds, from January 1, 1891, to December 31, 1892:—

Encampment and transportation---- \$11,407 90

Rents----- 39,659 70

Elections----- 342 15

Military board----- 1,616 72

Printing----- 2,733 68

Inspection----- 670 10

Sundries----- 1,491 62

Uniforms and repairs----- 2,112 00

Adjutant-general----- 2,992 75

To amount paid by warrant of the secretary  
of state drawn on the military fund-----

\$59,566 18

To amount approved by military board and  
unpaid-----

3,460 44

\$63,026 62 \$63,026 62

We find there have been allowed by the military board at the meeting held January 9, 1893, accounts amounting to \$3,056.49, which are for expenses incurred for the quarter ending December 31, 1892, but as same occurred in a similar manner at the board

meeting of January 13, 1891, we have not included the same in this report, believing it properly belongs to the report of 1893.

The report of the adjutant-general for 1891 and 1892 shows amounts as follows:—

Amount audited and allowed by the state military board during the year ending December 31, 1891-----	\$56,955 98	
Audited and allowed by the state military board during the year ending December 31, 1892-----	13,528 80	\$70,484 78
	<u>\$70,484 78</u>	<u>\$70,484 78</u>
Paid by warrants of the secretary of state during the year ending December 31, 1891-----	\$47,901 57	
Paid by warrants of the secretary of state during the year ending December 31, 1892-----	17,665 56	
Amount allowed by the state military board and yet unpaid-----	4,917 65	\$70,484 78
	<u>\$70,484 78</u>	

We find the military fund has been economically expended. The expenses of the encampment, although very large, were not extravagant, the transportation of those troops from whom data could be obtained being less than two cents per mile and rations but 53 cents per day. The price paid for articles we consider very low.

Your committee recommend that hereafter a suitable set of books be kept in the adjutant-general's office, and duplicate vouchers filed, so that a complete record of the monetary transactions of the board may be at hand in the office of their secretary.

The brigade commander is an earnest worker in the cause of the guard, and we find that all the officers from the highest to the lowest are rendering earnest and efficient service to the state and without compensation, except in the case of the adjutant-general, who receives a fixed salary.

J. W. MAXWELL,  
Chairman joint committee.  
JOHN GILL,  
Chairman house committee.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 59, with the following amendments.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## AMENDMENT.

In line 8 of the printed bill, strike out the words "the third Monday in April."

## AMENDMENT.

In line 9 of the printed bill, strike out the word "second" where it occurs the first time, and insert in lieu thereof the word "first."

## AMENDMENT.

In line 9 of the printed bill, strike out the word "July," and insert in lieu thereof the word "June."

## AMENDMENT.

In line 10 of the printed bill, strike out the words "on the first Monday in February," and insert in lieu thereof, "on the fourth Monday in February."

## AMENDMENT.

In line 10 of the printed bill, strike out the words "fourth Monday in June," and insert in lieu thereof, "second Monday in July."

## AMENDMENT.

In line 15 of the printed bill, strike out the word "third," and insert in lieu thereof the word "second."

## AMENDMENT.

In line 16 of the printed bill, strike out the word "third," and insert in lieu thereof the word "fourth."

## AMENDMENT.

Strike out all of section 2.

## AMENDMENT.

Change the number of section 3 to 2.

On motion of Mr. Veatch, the senate concurred in the house amendments to senate bill No. 59.

Senate bill No. 59 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 86 with the following amendment.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## AMENDMENT.

Amend section 6 by adding the following: *and provided further*, that Curry county shall be exempt from the operation of this law.

On motion of Mr. Dodson, the senate concurred in the adoption of the house amendment to senate bill No. 86.

Senate bill No. 86 was ordered enrolled.

House bill No. 223 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Cameron, Cross, Denny, Gates, Hirsch, McAlister, Myers, Raley, Steiwer, Vanderburg, Veatch, and Weatherford—13.

Nays—Messrs. Bancroft, Blackman, Butler, Cogswell, Cross, Dodson, Willis, Woodard, and Mr. President—9.

Absent—Messrs. Beckley, Hayes, Huston, Looney, Matlock, Maxwell, and McGinn—7.

Not voting—Mr. Smith—1.

So the bill failed to pass.

On motion of Mr. Denny, the vote by which house joint resolution No. 15 was indefinitely postponed was reconsidered.

The question being on the adoption of house joint resolution No. 15.

The roll was called and the vote was:

Those voting aye were:

Messrs. Alley, Bancroft, Beckley, Blackman, Butler, Cameron, Crosno, Denny, Dodson, Hirsch, Huston, Looney, Maxwell, McAlister, Myers, Raley, Smith, Steiwer, Vanderburg, Weatherford, Woodard, and Mr. President—22.

Nays—Messrs. Cross, Hayes, and Veatch—3.

Absent—Messrs. Cogswell, Gates, Matlock, McGinn, and Willis—5.

The senate concurred in the adoption of the resolution.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 50.

And the same is herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign senate bill No. 50, and soon thereafter that he had signed the same.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate's amendments to house bill No. 382.

D. C. SHERMAN,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 53.

And the same is herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bill No. 53, and soon thereafter that he had signed the same.

Mr. Alley moved that senate resolution No. 26 be now taken from the table.

The motion prevailed.

Mr. Alley moved the adoption of the resolution.

The senate refused to adopt.

Mr. Gates moved that when the senate adjourns it adjourn to meet at 9 o'clock tomorrow morning.

The motion prevailed.

On motion of Mr. Veatch, the senate adjourned.

O. P. MILLER,  
Chief clerk.

SATURDAY, FEBRUARY 18, 1893.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1893. }

The senate was called to order at 9 o'clock A. M. by the president.

The roll was called, and all the members were present except Messrs. Beckley, Maxwell, and McGinn.

The following biennial report of the Oregon domestic animal commission was read:—

#### REPORT.

STATE CAPITOL,  
SALEM, Oregon,  
February 16, 1893. }

*To the Honorable the Legislative Assembly of the State of Oregon—*  
GENTLEMEN: We have the honor to submit the following report of the doings of the Oregon domestic animal commission (established under an act of the legislative assembly entitled "An act to prevent the spread of contagious animal diseases," approved February 25, 1889,) for the years 1891 and 1892:

The said commission consists of the governor, Sylvester Pennoyer; the secretary of state, Geo. W. McBride; and the president of the

state board of agriculture, J. T. Apperson. The organization of the commission remains the same as at the date of our last report, the governor acting as chairman, and the secretary of state as secretary of the commission. James Withycombe, of Washington county, has been reappointed veterinary surgeon for the state, with the title of state veterinarian. Under the act of 1891, the salary of the state veterinarian was fixed at \$1,500 a year and his necessary traveling expenses.

During the two years there were found to be diseased 141 horses, of which number 131 were killed by order of the commission; four of these was condemned as of no value; one was an estray animal. The appraised value of the remaining 126 horses has been paid, according to law. Two horses condemned as diseased have disappeared, and we have no report of them at present. Eight diseased horses were ordered under quarantine, to be kept isolated from all other animals. During the biennial term, 12 cows and 88 hogs were killed by order of the commission. There was paid on account of all the animals killed in pursuance of the orders of the commission, total sums as follows:

For horses-----	\$2,382 00
For hogs-----	108 00
For cattle-----	16 00

After the payment of all expenses reported up to December 31, 1892, there remained an unexpended balance in the appropriation of the last biennial term of \$6,906.40. It is estimated that outstanding unpaid claims for services of inspectors and for other services will not exceed \$900. We therefore recommend that the appropriation for the years 1893 and 1894 be reduced to \$12,000, which sum we think will be sufficient to cover the expenses of said term unless there shall be some unusual spread of contagious or infectious diseases among animals. As in the preceding biennial term, with few exceptions, the diseased horses were affected with chronic nasal gleet. The diseased cows were affected with tuberculosis. The state veterinarian reports "that tuberculosis is the most dangerous malady that confronts the commission in dealing with the contagious diseases of our domestic animals. The disease is not only contagious among our domestic animals, but the milk and flesh of animals suffering from tubercular disease is positively infectious to human beings, especially milk, which is an article of food that is rarely cooked before being consumed." The commission will sustain the state veterinarian in his skillful and energetic attempts to discover and stamp out this most dangerous infectious disease. The small number of cows found to be affected with it

during the past biennial term and the vigilance of the state veterinarian justify us in the gratifying belief that the spread of the disease has been checked.

In June, 1891, over 70 head of swine died of disease in Union county before the herd was examined. The disease was introduced by hogs that were imported from the eastern states and was supposed to be genuine hog cholera. Examination proved that the disease was only a malignant type of influenza, caused by feeding the swine impure swill. The entire herd was ordered killed. In July, 1891, a malignant type of influenza attacked small herds of swine in Union county, of which herds a large percentage died. The board promptly ordered destruction of exposed animals, and the spread of the disease was promptly and effectually checked.

A full record of the proceedings of the commission has been kept by the secretary, who has also kept, in a stock-book prepared for that purpose, a description of each animal reported as dangerously diseased, and of the orders and acts of the commission and its employés respecting such animal. The reports of the state veterinarian and of the county stock inspectors, and all other persons employed by the commission, are kept on file in the office of the secretary of state, and the commission respectfully invites your examination of all such records and papers, which are hereby referred to as a part of this report.

We have the honor to be, very respectfully,

Your obedient servants,

SYLVESTER PENNOYER,  
Governor,

GEO. W. McBRIDE,  
Secretary of State,

J. T. APPERSON,  
President State Board of Agriculture.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1893. }

*Mr. President :*

I am directed by the speaker to inform you that he has signed house bills Nos. 33 and 343.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.



The president announced that he was about to sign house bills Nos. 33 and 343, and soon thereafter that he had signed them.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 45, 101, 114, 206, and 217, and senate joint memorial No. 4, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 18, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 217, 45, 114, 206, and 101, and senate joint memorial No. 4.

And the same are herewith returned to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign senate bills Nos. 217, 45, 114, 206, and 101, and senate joint memorial No. 4, and soon thereafter that he had signed them.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 18, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 382, 64, 368, 180, 188, 332, 175, 110, 80, 140, and 24.

And the same are herewith transmitted to you for your signature.

D. C. SHERMAN,  
Chief clerk.

The president announced that he was about to sign house bills

Nos. 382, 64, 368, 180, 188, 332, 175, 110, 80, 140, and 24, and soon thereafter that he had signed them.

PROTEST.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1893. }

*Mr. President:*

We, the undersigned senators, protest most earnestly against the signing of house bill No. 175 for the following reasons: That the said bill was, without authority given by the senate, taken out of its place at or near the bottom of a large number of meritorious bills and placed at the top by some person or persons without authority and contrary to the rules of the senate and all parliamentary usages, thereby crowding out many meritorious measures, and in fact committed a fraud upon the senate. That the vote upon the measure only showed sixteen senators voting on the passage of said measure, and they in the affirmative. That the president caused to be counted as voting "no" a number of senators that did not vote and a number that were out of the room at the time the vote was taken, to wit, Messrs. Huston, Vanderburg, Matlock, McAlister, Raley, and Smith, and had no opportunity to vote.

J. K. WEATHERFORD.	W. F. MATLOCK.
C. A. COGSWELL.	J. H. RALEY.
R. M. VEATCH.	C. H. WOODARD.
N. L. BUTLER.	D. A. McALISTER.
JEFF. MYERS.	J. A. SMITH.
HENRY BLACKMAN.	S. B. HUSTON.
	W. S. VANDERBURG.

Mr. Gates, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1893. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 59 and 86, beg leave to report the same back to the senate as correctly enrolled.

P. P. GATES,  
Chairman.

Mr. Raley introduced senate concurrent resolution No. 24.

## SENATE CONCURRENT RESOLUTION NO. 24.

*Resolved by the Senate, the House concurring,* That a committee of two, consisting of one from the senate and one from the house, be appointed to wait upon the governor of this state and inform him that the legislature is now about to adjourn, and ascertain if he has any further communication to offer.

On motion of Mr. Raley, the resolution was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 24, and he has appointed on the part of the house, Mr. Miller.

D. C. SHERMAN,  
Chief clerk.

The president appointed as the committee on the part of the senate, Mr. Raley.

Mr. Bancroft introduced senate resolution No. 32.

## SENATE RESOLUTION NO. 32.

*Resolved,* That the secretary of state be and he is hereby authorized to purchase a new carpet and furniture for the senate chamber and to sell the old carpet and furniture.

Mr. Bancroft moved the adoption of the resolution.

The senate refused to adopt.

Mr. Willis introduced senate resolution No. 33.

## SENATE RESOLUTION NO. 33.

*Resolved,* That the thanks of the senate is hereby extended to the representatives of the press in attendance at this session of the legislative assembly for the attention and courtesy shown to the members of this body.

On motion of Mr. Willis, the resolution was adopted.

The president appointed as the committee to correct the journal of the senate, Messrs. Looney and Blackman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 18, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 59 and 86.

And the same are herewith returned to you for signature.

D. C. SHERMAN,  
 Chief clerk.

The president announced that he was about to sign senate bills Nos. 59 and 86, and soon thereafter that he had signed them.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 18, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 33,—relative to payment of costs of investigating charges against G. S. Downing.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
 Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 33.

*Resolved by the House, the Senate concurring,* That the secretary of state be authorized to draw warrants on the state treasurer to be drawn from the general expense fund to pay costs in the investigation of charges preferred against G. S. Downing, superintendent of Oregon state penitentiary.

On motion of Mr. Raley, the senate concurred.

Mr. Weatherford submitted the following report:—

## REPORT.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 February 17, 1893. }

*To the Honorable Legislative Assembly of the State of Oregon:—*We, the joint committee appointed to examine the books of the peni-

penitentiary and the mode of conducting the institution, have visited the premises and made a thorough examination of its books and the various departments of the prison. We find that the books are accurate, concise, and neat, and that the penitentiary is conducted on business principles, giving special attention to even the smaller details.

The contract with the Northwest Foundry Company requires payment to the state treasurer for convict labor each quarter, but we find that they have been paying only about once each year. There was due December 31, 1892, \$20,170.75, and for the month of January, 1893, \$735.28, making a total of \$20,906.03; but should interest be required on deferred payments, and your committee believe that it should be, there would be due an additional sum of \$5,644.87 interest. This would make the amount due from the Northwest Foundry Company to date \$26,550.90, which according to contract should be immediately paid to the state treasurer by this company. We recommend that the state treasurer be instructed to collect the same.

We also, in accordance with resolution No. —, have thoroughly investigated the charges preferred against Superintendent Downing; have given every opportunity to the prosecution to substantiate the charges, summoning every witness that they have asked for, and we find that not a single charge has been substantiated.

We also find that the same charges have twice been before the grand jury of Marion county, and have been dismissed for want of evidence, the prosecuting attorney and the foreman of the grand jury each testifying before your committee that the charges were entirely groundless.

We recommend that these charges, together with the testimony, be placed on file in the secretary of state's office for future reference.

E. H. BELKNAP,

Chairman house committee.

Chairman senate committee.

J. K. WEATHERFORD,

Minority of committee.

Mr. Hayes introduced senate concurrent resolution No. 25.

#### SENATE CONCURRENT RESOLUTION NO. 25.

*Resolved by the Senate, the House concurring,* That the secretary of state be and is hereby authorized to sell such second-hand furniture belonging to the state as he may desire.

On motion of Mr. Hayes, the resolution was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February —, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 25.

And the same is herewith returned to you.

D. C. SHERMAN,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1893. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 34,—expressing sympathy with Hon. Geo. W. McBride in his illness.

And the same is herewith transmitted to you for the consideration of the senate.

D. C. SHERMAN,  
Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 34.

*Resolved by the House, the Senate concurring,* That the legislative assembly desires to express their sympathy with the secretary of state, the Hon. Geo. W. McBride, in his illness, and in this the closing hours of its session further desire to express the hope that his health may be soon restored.

On motion of Mr. Looney, the senate concurred in the adoption of the resolution.

The hour having arrived for adjournment, the president arose, and in well chosen words thanked the senators for their uniform courtesy toward him, and wishing them a safe return to their homes and families, adjourned the senate without day.

O. P. MILLER,  
Chief clerk.

The following amounts were paid to each senator for per diem and mileage for the seventeenth biennial session of the legislative assembly:—

<i>Name.</i>	<i>Miles.</i>	<i>Days.</i>	<i>Amount.</i>
B. F. Alley.....	306	40	\$ 165 90
F. A. Bancroft.....	866	40	249 90
Henry Beckley.....	280	40	162 00
Henry Blackman.....	506	40	195 90
N. L. Butler.....	40	40	126 00
Theodore Cameron.....	600	40	210 00
C. A. Cogswell.....	986	40	267 90
C. B. Crosno.....	232	40	154 80
Harvey E. Cross.....	1,080	40	274 50
O. N. Denny.....	104	40	185 60
O. M. Dodson.....	1,166	40	294 90
P. P. Gates.....	204	40	150 60
G. E. Hayes.....	84	40	132 60
Edward Hirsch.....	2	40	120 30
S. B. Huston.....	144	40	141 60
J. B. Looney.....	48	40	127 20
W. F. Matlock.....	804	40	240 60
J. W. Maxwell.....	480	40	192 00
D. A. McAllister.....	724	40	228 60
H. E. McGinn.....	340	40	171 00
Jeff. Myers.....	260	40	159 00
J. H. Raley.....	646	40	216 90
John A. Smith.....	346	40	171 90
W. W. Stelwer.....	508	40	196 20
W. S. Vanderburg.....	628	40	218 90
R. M. Veatch.....	1,062	40	279 80
J. K. Weatherford.....	816	40	242 40
P. L. Willis.....	108	40	136 20
C. H. Woodard.....	104	40	135 60
C. W. Fulton, president.....	324	40	248 60

The following amounts were paid to the officers of the senate:—

<i>Name.</i>	<i>Days.</i>	<i>Amount per day.</i>	<i>Total.</i>
O. P. Miller, chief clerk.....	41	\$ 10 00	\$ 410 00
D. W. Coolidge, assistant chief clerk.....	41	8 00	328 00
A. W. Severance, calendar clerk.....	41	8 00	328 00
J. B. Eddy, reading clerk.....	41	10 00	410 00
J. M. Stott, sergeant-at-arms.....	41	7 00	287 00
J. H. McCormick, door-keeper.....	41	6 00	246 00
W. H. Mattoon, mailing clerk.....	41	5 00	205 00
Edwin Russell, page.....	41	4 00	164 00
Charles Hoberg, page.....	41	4 00	164 00

**CHIEF CLERK'S CERTIFICATE.**

SENATE CHAMBER,  
SALEM, Oregon, }  
February 18, 1893. }

I, O. P. Miller, chief clerk of the senate, hereby certify that the foregoing is a true and correct journal of the proceedings of the seventeenth biennial session of the legislative assembly of the state of Oregon, from the ninth day of January, 1893, to and including the eighteenth day of February, 1893.

O. P. MILLER,  
Chief clerk.

**CERTIFICATE OF APPROVAL.**

SENATE CHAMBER,  
SALEM, Oregon, }  
February 28, 1893. }

We, your committee appointed under senate resolution No. 24, to examine, correct, and approve the journal of the senate of the seventeenth biennial session, beg leave to report that we have performed the duty assigned to us, and hereby approve the same.

J. B. LOONEY,  
HENRY BLACKMAN,  
Committee.





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